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Senate Chamber
January 9th 1872

Senate met pursuant to adjournment

Prayer by the Chaplain

Roll called present

Messrs Cosgrey Hilton Mc Kinney Tucker Sumner Thomas and Mr President

Journal read and approved

The President appointed Messrs Cosgrey and Tucker to fill vacancies occurring in the Committee on Elections and designated Mr Thomas as Chairman of said Committee

Mr Tucker presented the Credentials of Gilbert D Schofield as Senator elect to fill the vacancy occasioned by the resignation of Hon David Brown

Mr Thomas presented the Credentials of Thomas Lynch as Senator elect to fill the fill the vacancy occasioned by the resignation of Hon E E Cunningham

Mr Sumner presented the Credentials of O A Abbott as Senator elect to fill the vacancy occasioned by the resignation of Hon L Girard

Mr Tucker moved the credentials be
referred to the committee on Elections
which was agreed to
The committee on Elections submitted
the following report
Mr President

Your Committee on Elections
to whom were referred the Credentials of
Messrs Lynch Abbott and Scofield
would respectfully report that they have
examined the matter so submitted
to them and find that Hon Thomas
Lynch was duly elected Senator to
fill the vacancy occasioned by the
resignation of the Hon E. Cunningham
that Mr Othman A Abbott -
was duly elected Senator to fill the
vacancy occasioned by the resignation
of Hon L Gerard and that Mr Gilbert
B Scofield was duly elected to fill the
vacancy occasioned by the resig=
=nation of the Hon David Brown
Your committee would therefore
recommend that they be admit
=ted Members of this body
D W Thomas
Geo P Tucker
A L Contzing

On motion of Mr Tucker

the Rules were suspended and the report was adopted

Whereupon the Secretary of State appeared and administered the following oath

We and each of us do solemnly swear that we will support the constitution of the United States and the constitution of the State of Nebraska and faithfully and impartially discharge the duties of our office as members of the State Legislature according to the best of our Ability

O. A. Abbott
Thomas Lynch
G. B. Scofield

Mr Kennedy offered the following resolution
Resolved

that new business arising after the adoption of this resolution shall be disposed of before the business that arose prior thereto is taken up and proceeded with

Mr Courtney moved the rules be suspended for the adoption of the Resolution

Which was not agreed to

The President announced that the hour of 2 o'clock P.M. had arrived and that under the order of the Senate the Legislative business of the Senate was suspended and the Senate sitting as a court of impeachment in the trial of John Selinger Auditor of State returned its session

The proceedings had therein as stated in the record.

The President resumed the chair

The President announced the following named gentlemen as committee on the Judiciary to wit Messrs Thomas Scofield and Abbott

Mr Fraker moved the Senate do now adjourn until 2 o'clock P.M. tomorrow

Mr Abbott moved to amend by striking out the word "two" and inserting the word "ten"

Which was agreed to — ~~and~~

The question recurring on the motion as amended,

It was agreed to and at 3 1/2 o'clock P.M. the Senate adjourned

Senate Chamber
January 9th 1872
Senate met pursuant to adjournment
Prayer by the Chaplain —
Roll called — present
Messrs Posey Fellow Metz
Kennedy Tucker Dennant Thomas
and Mr President.
Journal read and approved
The President appointed Messrs Posey
and Tucker to fill Vacancies occuring
in the committee on Elections and
designated Mr Thomas as Chairman
of said Committee —
Mr Tucker presented the Credentials of
Gilbert Sarfield as Senator ~~to fill the~~
~~vacancy occasioned by the~~ resignation of Hon D Brown
~~has been elected~~
Mr Thomas presented the Credentials
of Dennis Liquet as Senator ~~to fill the~~
~~vacancy occasioned by the~~ resignation of Hon E E Cunningham
Mr Dennant presented the Credentials
of O A Abbott ~~as Senator to fill the~~
~~vacancy occasioned by the~~ resignation of Hon L Gerrish
~~Mr Metz Senator from Aroostook~~
~~the Senate at 4 o'clock adjourned~~
~~to 10 o'clock~~
Mr Tucker moved the Credentials
be referred to the Committee on
~~Elections and ordered~~

Mr Timms from committee on Elections reported as follows

Mr President

Your committee on Elections to whom were referred the credentials of Messrs Lynch, Abbott and Seofield, would respectfully report that they have examined the matters so submitted to them and find that Mr Thomas Lynch having duly elected Senator from the 6th district to fill the vacancy occasioned by the resignation of the Hon. E. E. Cummings; that Mr O'Thomas A. Abbott was duly elected Senator for ~~the 4th district~~ to fill the vacancy occasioned by the resignation of Hon. L. Green. And that Gilbert B. Seofield was duly elected Senator ~~from the district~~ to fill the vacancy occasioned by the resignation of the Hon. David Brown. Your committee would therefore recommend that they be admitted members of this body -

E. W. Thomas
Geo J. Tucker.
~~O. A. Abbott~~ [illegible]

A motion of Mr Tucker
the report was adopted -
whereupon the Secy of State
appeared and administered
the following Oath

We, and each of us do solemnly swear that we will support the Constitution of the United States and the Constitution of the State of Nebraska and faithfully and impartially discharge the duties of our office as Members of the State Legislature according to the best of our ability

Adopted
Thomas Lynch
G.B. Scofield

Mr Kennedy offered the following resolution—

Resolved

That near business arising after the adoption of this Resolution shall be dispensed of before the business that arose prior thereto is taken up or proceeded with

Mr Copsey moved the Rules be suspended for the adoption of the Resolution which was not agreed—

The President announced that the hour of 2 Oclock PM had arrived, and that under the order of the Senate, the Legislative business of the Senate was suspended and the Senate sitting as a Court of Impeachment in the trial of John Gillespie Auditor of State resumed its session — After proceedings had therein as stated in the record —

The President resumed the chair.

The President announced the following named Gentleman as committee on the Judiciary, Court:- Messrs Thomas Schofield, and Abbott —

Mr Tucker moved the Senate do now adjourn until 2 Oclock PM. tomorrow —

Mr Abbott moved to amend by striking out the word "two" and inserting the word "ten"

Which was agreed to — and the Question recurring on the motion as amended —

It was agreed to —

And at 3:10 Oclock PM the Senate adjourned —

January 9th 1872

At 2 o'clock PM the President returned the Chair and the Sergeant at arms having made proper proclamation

The managers appointed to conduct the trial of the State Auditor upon Articles of Impeachment preferred against him by the House of Representatives entered the Senate Chamber and took the seats assigned them

The Counsel for the State Auditor appeared and took seats assigned them

The Journal read & approved

The Managers asked that the trial be continued

On Motion of Mr Tucker the Senate sitting as a Court of Impeachment in the trial of John Gillespie adjourned until 3 o'clock tomorrow afternoon—

Wednesday Jan 10th 1872

The Senate met pursuant to adjournment

Prayer by the Chaplain

Roll called.
Present Messrs Abbott, Cropsey
Fellow Metz. Kennedy Lynch
Scofield Sheldon Tucker Tennant
Thomas and Mr President.

Journal read and approved.

Mr Abbott presented the petition
of D C Bond and 63 others to establish
Peoria County.
Which was referred to the committee
on Counties.
Mr Thomas presented the petition
of John Pratt and 8 others to Establish
Frontier County
Which was referred to the Committee
on Counties

The following Resolution 'to wit'
" Resolved
That such business among
after the adoption of this Resolution
shall be disposed of before the
business that arose prior thereto is
taken up or proceeded with "
Was read a second time and
adopted.

Mr Abbott offered the following
Resolution. towit:

" Whereas it is currently reported
that Hon B F. Hilton the Senator elect
from 9th Senatorial District is a
non resident of said District and
resides in district No four and
thereby incapacitated from holding
his seat in the Legislature
Therefore, be it resolved that a
Special Committee of three be
appointed by the Chair to ascertain
the facts in the case and report
to the Senate and that said
Committee have power to send
for persons and papers."
Which was read the 1st time.

Mr Cooper moved that the Rules
be suspended for a second reading of the Resolution

~~A second time~~ -

The Yeas and Nays being Demanded
~~on the Motion to Suspend the Rules~~
Those voting in the Affirmative
were Messrs Abbott Cropsey Metz
Kennedy Lynch Sheldon Thomas and
Mr President - 8

Those voting in the negative were
Messrs Giblin Scofield Tucker Tennant
- 4 -

Thus ~~Mr~~ Smith "not voting" in affirmative
the motion to suspend the Rules was not
agreed to -

Mr Kennedy ~~(by leave)~~ introduced the following Bill
S. F. 173 An Act supplementary to
an Act entitled an Act to provide
for calling a Convention to revise
Alter or Amend the Constitution of
the State of Nebraska Approved
March 2nd 1871.

Which was read the 1st ~~and 2nd time~~
~~and referred to Com of the whole~~
On motion the Rules were Suspended
Thus ~~Mr~~ Smith voting therefore
the Bill was read a 2nd time
and, on motion the Bill was referred to the Com of the whole
House

6/-

Mr. Abbott gave notice under the rule of motions of leave to introduce Bill of a Bill to amend section 10 of the Act entitled an act for a General Herd Law to protect cultivated lands from Trespass by Stock.

Mr Cropsey by leave introduced Bills of the following title.

Which were read the 1st time and on Motion the Rule were Dispensed three fourths voting therefor and the Bill were read a 2nd time ~~by Title~~ and referred as follows

S.F. 174 A Bill for an act to repeal an act for the Registration of voters

To the Com on Elections -

Also

S.F. 175 A Bill for an act to limit fees, lessen taxes and prevent Political Corruption

To the Judiciary Committee -

also

S.F. 176. A Bill for an act to provide for leasing the Saline Lands and to develop the Salt interests of the State,

to the Com of the whole House

Also

S.F. 177 A Bill for an act to aid in discovering and Mining Coal and Authorizing Cities and Counties to vote bonds therefor

To Com of the Whole House

also
S. F. 178 A Bill for an act to
prevent the introduction and spread
of Canada Thistles in the State
In Com of The Whole

also
S. F. 179 A Bill for an act to amend
Sections 5 and 8 of Chapter 19 of the
Revised Statutes and to repeal Sections
9 of the same Chapter entitled Fees
In Com on Judiciary

Also
S. F. 180 A Bill for an Act to amend
Section 9 and 17 of Revised Statutes
Entitled Elections
In Com of the Whole House

By Mr Thomas
S. F. 181 A Bill for an act to
organize Frontier County
In the Committee of the Whole House

By Mr Hascall
S. F. 182 A Bill for an act for
the distribution of certain School
Moneys belonging to the County of Douglas
In the Com of Whole House

Also

S 763 A Bill for an Act defining the Boundaries of certain Counties and describing the Territory comprising the Rand Jo the Am of Woh Coke

On motion of Mr Tucker The Senate at 12 o'clock M took a recess until 2 o'clock P M.

After Recess - ~~January 8th~~

Roll Call -

Present Messrs Abbott, Dropsey
Hilton Metz Kennedy Lynch
Scofield Sheldon Tennant Thomas
and Mr President

Absent Mr Tucker.

Mr Scofield presented the Credentials of N. B. Leach as Senator to fill the Vacancy occasioned by the Resignation of Hon Robt Hawley

Which was referred to the Committee on Elections -

Mr Scofield moved that the Senate take a Recess for 5 minutes & give the Com on Elections time to report

Which was not agreed to -

~~Mr Kennedy~~ On motion of Mr Kennedy the Senate resolved itself into the Committee of the whole to take into Consideration

"S. F. 173" a bill An Act Supplementary to an act entitled an act to provide for calling a Constitutional Convention to revise alter or amend the Constitution of the State of Nebraska Approved Mar 27 1871.

Mr Thomas in the Chair

after sometime spent thereon the Committee arose and by their Chairman reported the ~~same~~ bill without amendment & ~~back~~, with the recommendation that it do pass.

Mr Schofield moved that the report of the Committee be adopted

Which was agreed to.

A motion the Rules were suspended three fourths voting therefor and the Bill was read a third time

The question being shall the Bill pass?

Those voting in the affirmative were Messrs. Abbott, Cropsey Kennedy Lynch Schofield Stuart Thomas and Mr President—8—

Those voting in the negative were Messrs Metz & Shedd—2.

Mr Tucker not voting.

The majority having voted in the affirmative the Bill passed ~~and the title agreed to~~.

Mr Tucker by leave introduced S.F. 184 a Bill for an act to Authorize the District Board of 034 Nemaha County to issue Bonds

Which was read first time

On motion the Rules were suspended three fourths voting therefor and the Bill read a second & third time and the question being shall the Bill pass

Those voting in the affirmative were Messrs Abbott Cropsey Huff Kennedy Lynch Scofield Sheldon Tuckey Tennant Thomas and Mr President — 11

None voting in the negative the Bill was passed ~~and title agreed to~~

Mr Scofield by leave introduced S.F. 185 Joint Resolution and Memorial for the Establishment of a new Land District with a Land Office at Red Willow in the County of Red Willow State of Nebraska

Which was read the first time and on motion the Rules were suspended three fourths voting therefor and the Bill was read a second and third time.

The question being shall the Bill pass?

Those voting in the

affirmative

were Messrs Abbott, McKay Kennedy Lynch Scofield Sheldon Tucker Tennant Thomas and McPhee 10

None voting in the negative the Bill passed ~~And the Senate adjourned~~

The President announced that hour of 3 O'clock PM had arrived and that under the order of the Senate the Legislature Entries of the Senate was suspended and the Senate sitting as a Court of Impeachment in the trial of John Gillespie State Auditor — resumed its session -

After proceedings had therein as stated in the Record and the President resumed the Chair.

Mr Abbott offered the following Resolution to wit

" Whereas A B Leach whose credentials have been presented to this house has been held to bail for his appearance before the Courts of this State charged with the commission of a grand crime against the laws of this State and Whereas — It is currently reported that he has been guilty of other

crime and whereas such crime if true ought to disqualify him from taking his seat in the Legislature

and

Whereas, also, opportunity ought to be afforded him to disprove such charge, therefore

Be it resolved that a Special Committee of three be appointed to investigate the truth or falsity of such charges (as may be made against him and report their finding without delay and that said Committee have power to send for persons and papers and that the Committee on Elections be instructed not to report until after the report of such Committee shall have been disposed of"

Which was read the first time

Mr Osgood moved to suspend the rules for the second reading of the Resolution

Which was not agreed to—

Mr Osgood moved that the Committee on Elections have 24 hours to make a Report on the Credentials of Mr B Leach.

Mr Jennant to amend by striking
out "24 hours" and inserting "16 minutes"
The yeas and Nays being demanded
those voting in the affirmative were
Messrs Hillon, Metz, Lynch, Scofield
Tucker & Jennant - 6 -
Those voting in the negative were
Messrs Abbott, Cropsey, Kennedy
Sheldon, Thimas & Mr President 6 -
a majority not voting in the affirmative
the Amendment was not agreed
to.
moved
Mr Scofield, to amend by striking
out "24 hours" and inserting "to-
-morrow morning at 10 o'clock"
The yeas and Nays being demanded
those voting in the affirmative were
Messrs Hillon, Metz, Kennedy, Lynch
Scofield Tucker Jennant Thimas
and Mr President — 9
Those voting in Negative were
Messrs Abbott Cropsey Sheldon
3
The majority having voted in the
affirmative the amendment was
agreed to — The question occurring
on the ~~Amendment~~ Motion as amended
It was agreed to —

A message from the House by
Mr Cropsey Chief Clerk, & Hon Lyman
Jenny 10/1872

Mr President.

I am directed to inform
your honorable body that
the House has passed the fol=
lowing bills
S. F. 164 a Bill for an act-to
authorize School district-
No 34 of Lyman County to
issue bonds also
H R 306 a Bill for an
act providing for the ap=
pointment of Notaries in
certain Cases also
~~H R. 305~~

L E Cropsey
Clerk

On Motion of Mr Jacobs the
Senate at 04 15 PM adjourned
until 10 Oclock AM

Jan 10 1872

At 3 o'clock PM the President resumed the Chair and the Sergeant at arms having made proper proclamation

The Managers appointed to Conduct the trial of the State Auditor upon Articles of Impeachment exhibited against him by the House of Representatives with the Counsel for the Respondent entered the Senate Chamber and took Seats assigned them

Journal read and approved

The Managers asked that the case be continued—

When Mr Thomas offered the following order towit

Ordered That the Senate sitting as a court of Impeachment for the trial of John Gillespie State Auditor do now adjourn until tomorrow afternoon at 3 o'clock—

Which was adopted and the Senate sitting as a court of Impeachment for the trial of John Gillespie adjourned until 3 o'clock tomorrow afternoon—

Wednesday Jan 10th 1872

The Senate met pursuant to adjournment

Prayer by the Chaplain

Roll called — present Messrs Abbott Cosgrey Hilton Metz Stevens Lynch Scofield Sheldon Tucker Durant Thomas and Mr President

Journal read and approved

Mr Abbott presented the petition of D L Pond and others praying the establishment of Peoria County

Which was referred to the Committee on Counties

Mr Thomas presented the petition of Asher Pratt and 21 others praying the establishment of Fremont County;

Which was referred to the Committee on Counties

The following resolution to wit:

Resolved

that the business arising after the adoption of this resolution shall be disposed of before the business that now stands is taken up or proceeded with

Was read the second time and on motion was adopted

Mr Abbott offered the following resolution to wit;

Whereas it is currently reported that Hon D F Hilton the Senator elect from the 9th Senatorial District and resides in District 200 Four and thereby in = - ofa a citated from holding his seat in the Legislature

Therefore be it resolved that a special committee of three be appointed by the Chair to ascertain the facts in the case and report to the Senate and that said committee have power and for persons and papers

Which was read the first time

On motion that the rules be suspended for the second reading of the resolution

The yeas and nays being demanded those voting in the affirmation are Messrs Abbott Carney Gutz Kennedy Lynch Schulen Thomas and the President — — — — 8

Those voting in the negation were Messrs Hilton Scofield Tucker and Tennent — 4

Three fourths not voting in the affirmation the motion to suspend the rules was not agreed to

Mr Kennedy by leave introduced the following bill

S F 173 An Bill supplimentary to an act entitled an act to provide for calling a Constitutional Convention to revise alter or amend the Constitution of the State of Nebraska

Approved March 27th 1871

which was read the first time

On motion the rules were suspended three fourths voting therefor, the bill was read a second time and on motion the bill was referred to the committee of the whole House

Mr Abbott gave notice under the rule of motion of leave to introduce bills of a bill to amend section 10 of the Act entitled an act for a general Herd Law to protect cultivated lands from trespass by stock

Mr Cropsey by leave introduced Bills of the following title which were read the first time and on motion the rules were suspended three fourths voting therefor, the bills were read a second time and referred as follows

S F 174 A Bill for an act to repeal an act for the Registration

of Votes

To the Committee on Elections

Also

SF 175 A Bill for an act to limit fees license taxes and prevent political corruption

To the Committee on the Judiciary

Also

SF 176 A Bill for an act to provide for selling the Sation lands and and to dispose the Said intrests of the State

To the Committe of the whole House

Also

SF 177 a Bill for an act to aid in discovering and Mining Coal and authorizing Cities and Counties to vote bonds therefor

To the committee of the whole House

Also

SF 178 A Bill for an act to prevent the introduction and Spread of Canada thistles in the State

To the committee of the whole House

Also

SF 179 A Bill for an act to amend Sections 5 and 8 of chapter 19 of the

Revised Statutes and to repeal Section 9 of the same Chapter entitled "Fees"

To Committee on the Judiciary

also

S F 180 A Bill for an act to amend Sections 9 and 17 of the revised Statute entitled Elections

To the committee of the whole House

By Mr Thomas

S F 181 A Bill for an act to organize Frontier County

To the Committee of the whole House

By Mr Hascall

S F 182 A Bill for an Act for the distribution of certain School Monys belonging to the County of Douglas

To the Committee of the whole House

also

S F 183 A Bill for an act defining the Boundries of certain Counties and describing the Territory comprising the same

To the Committee of the whole House

On motion of Mr Tucker the Council at 12 oclock M took a recess until 2 oclock P M

After Recess

Roll Call

Present Messrs Abbott Hopson Hilton Metz Kennedy Lynch Scofield Sheldon Tennant Thomas and Mr President

Absent Mr Tucker

Mr Scofield presented the credentials of N B Lansh as Senator to fill the vacancy occasioned by the resig=nation of Hon Robt Wake

Which was refered to the committee on ~~Privileges~~ Elections

Mr Scofield moved the Senate take a recess for five minutes to give the Committee on Elections time to report

Which was not agreed to

On motion of Mr Kennedy

The Senate resolved itself into a committee of the whole to take into consideration

S F 178 A Bill for an Act Supplimentary to an act entitled "an Act to provide for calling a Constitutional Convention to revise Alter or amend the Constitution of the State of Nebraska" Approved March 27th 1871

Mr Thomas in the Chair

After some time spent therein the committee arose and by the Chairman reported the bill without amendment and with the recommendation that it do pass

Mr Scofield moved the report of the committee be adopted

which was agreed to

On motion the rules were suspended three fourths voting therefor the bill was read a third time The question being shall the bill pass

Those voting in the affirmative were messrs Abbott Cropsey Kinney Lynch Scofield Tennant Thomas and Mr President — 8

Those voting in the negative were messrs Mitz & Sheldon

Mr Tucker not voting

A Majority having voted in the affirmative the bill passed.

Mr Tucker by leave introduced S F 184 A Bill for an act to authorize the District Board No 34 of Nemaha County to issue Bonds

which was read the first time

On motion the rules were suspended three fourths voting therfor and

The Bill was read the second and third time

The question being shall the bill pass

Then voting in the affirmative were Messrs Abbott Cooper Metz Kennedy Lynch Scofield Sheldon Tucker Tunnant Thomas and Mr President ——— 11

So new voting in the negative the Bill passed

Mr Scofield by leave introduced S F 185 Joint ~~Memorial~~ Resolution and Memorial for the establishment of a New Land District with a Land Office at Red Willow State of Nebraska

which was read the first time

On motion the rules were suspended three fourths voting therfor.

The Bill was read a second and third time

The question being shall the bill pass

Those voting in the affirmative were Messrs Abbott Metz Kennedy Lynch Scofield Sheldon Tucker Tennant Thomas and Mr President

10

Those voting in the negative the Bill passed

The President announced the hour of 3 o clock PM had arrived and that under the order of the Senate the Legislative business of the Senate was suspended and the Senate sitting as a court of Impeachment in the trial of John Griffin — State Auditor resumed its Session

After proceedings had thereon as stated in the record the President resumed the Chair

Mr Abbott offered the following Resolution to wit

Whereas N B Lamb whose credentials have been presented to this house has been held to bail for his appearance before the Courts of this State charged

10

with the Commission of a
grand Crime against the
laws of the State and
Whereas: It is currently reported
that he has been guilty of other Crimes
and
Whereas: such crimes if true
ought to disqualify him from taking
his seat in the Legislature
and
Whereas: also opportunity ought
to be offered him to disprove such
charges
Therefore, Be it Resolved
that a select committee be ap=
=pointed to investigate the truth
or falsity of such charges as
may be made against him and
report their finding without
delay and that said Committee
have power to send for persons
and papers and that the Com=
=mittee on Elections be instruc=
=ted not to report until after the
report of such committee shall
have been disposed of"
which was ~~read the first time~~ not agreed to.

Mr Lenahan moved the Committee on Elections have power to make a report on the Credentials of N B Lands

Mr Tennant moved to amend the words by striking out "Twenty four hours" and inserting the words "Fifteen Minutes"

The Yeas and Nays being demanded thereon voting in the affirmative were Messrs Hilton Mc Lynch Scofield Tucker Tennant —— 6

Those voting in the negative were Messrs Abbott Cosby Kennedy Sheldon Thomas and Mr President —— 6

A majority not voting in the affirmative the amendment was not agreed to

Mr Scofield moved to amend by striking out the words "twenty four hours" and inserting the words "to morrow morning at 10 o'clock"

12

The Yeas and Nays being demanded thereon voting in the Affirmative were Messrs Hilton Fitz Kennedy Lynch Canfield Tuttle Tennant Thomas and the President — 9

Those voting in the negative were Messrs Abbott Bentley and Sheldon — 3

A majority voting in the affirmative the Amendment was agreed to

The question recurring on the Motion as amended It was agreed to

A Message from the House by Mr Bentley their Chief Clerk

Mr President

I am directed to inform your Honorable body that the House has passed the following bills

S. No 184. A Bill for an act to authorize School District No 34 of Nemaha County

18

H issue Brs
also
HR 806 a bill for an
act providing for appointing
a receiver in certain cases
L E Bishop
Clerk

On motion of Sen Tucker
at 4:15 PM the Senate adjourn
till 10 oclock tomorrow morning

Thursday Jany 11 1872

~~The Senate met pursuant to adjournment.~~

Prayer by the Chaplain.

Roll called - present. Messrs Abbott, Cropsey Hillon Metz Kennedy Lynch Scofield Tucker Tennant Thomas and Mr President Absent Mr Sheldon.

Journal read and Approved.

Mr Thomas from the Committee on Elections submitted the following report.

over

V

Mr President

Your committee on elections to whom were referred the credentials of Dr. N. B. Laruh would respectfully report that the certificate of election referred to me is in due form and we find therefrom that Dr. Napoleon B. Laruh was duly elected senator to fill the vacancy occasioned by the resignation of the Hon. Robert F. Bradke.

E. J. Thomas
Geo L. Tucker
Committee on Elections

Mr Cropsey from the same committee submitted the following minority Report

(over)

Report of Committee
on Elections

Lincoln Neb Jany 11th 1872

The undersigned one of the Committee to whom was referred the Credentials of N. B. Lush, would beg leave to report that he finds said Credentials in due form; but that he is informed by George H Roberts Atty General of the State of Nebraska and others that said N. B. Lush stands charged with the Crime of embezzlement in converting to his own use much valuable property belonging to the people of the State of Nebraska; while acting as Superintendent of the State Lunatic Asylum, and of other offenses, of the truth of which charges said Atty General informs me he has ample proof, that can be immediately furnished the Legislature or a Committee thereof; therefore the Undersigned would recommend that said N. B. Lush be not admitted to a seat in the Senate until said charges be investigated.

A. J. Cropsey.

Minority Report

On the Credentials

of N B Lurch

Mr Scofield moved that the Majority report be adopted

~~Mr Abbott demanded the yeas and Nays.~~

Pending which on motion of Mr Abbott the Senate at 12 o'clock M took a recess until 2 o'clock Pm.

After Recess

Roll Call - Present Messrs Arapsey, Scofield, Sheldon, Tucker Tennant, Thomas and Mr President.

Absent Messrs Abbott, Helton Metz Kennedy Lynch -

A Message from the House by Mr Hostler Clerk

~~Of~~

6

H. R. Jan 10 1872

Mr President I am directed
to inform you honorable
body the House have passed
a Concurrent relative to
the appointment of Joint
Com

H. E. Cothren
Chief Clk.

Mr Cropsey moved that the Senate
Consideration of the motion for the
the Majority Report of the Committee
on Elections in the case of M Loosh
be postponed until 8 o'clock
this Evening.

The yeas and nays being Demanded
those voting in the affirmative
were. Messrs Abbott Cropsey
Metz Kennedy & Sheldon -5-
Those voting in the negative
were Messrs Allen, Lynch
Scofield Tucker Tennant
Thomas & Mr President -7-
The majority having voted in
Negative. The motion was not
agreed to.

The question recurring on
the ~~original~~ Motion to adopt the
majority Report
It was agreed to -

Whereupon the President of
the Senate administered the
following Oath:

over

7

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska and faithfully and impartially discharge the duties of my office as a member of the State Legislature according to the best of my ability.

A. B. Lamb

7 Jr

The President announced the hour of 3 o'clock PM had arrived and that under the order of the Senate the Legislative business of the Senate was suspended and the Senate sitting as a court of Impeachment in the trial of John Gillespie plaintiff resumed its session

After proceedings had therein as stated in the Record ~~and~~ the President resumed the chair

Mr Cropsey by leave introduced
S.F. 186 A Bill for an act to
amend Section 492, Chapter 1.
Title 1x of the Code of Civil
Procedure

Which was read the first time
On motion the Rules were suspended
three fourths voting therefor
And the Bill was read a
second time and referred
to the Committee on Judiciary

Mr Kennedy by leave introduced
S.F. 187 A Bill for an act to amend
Section 2 Chapter 18 of the Revised
Statutes of Nebraska

Which was read the first time
On motion the Rules were suspended
three fourths voting therefor
Bill read second time and
Referred to the Committee on Judiciary

S.F. 188 A Bill for an act to amend
Sec 10 of the act entitled an
act for a General Herd Law to
protect cultivated Lands from
Trespass by Stock-
was read the first time

Mr Metz by leave introduced
S. P. 189 a Bill for an act to
authorize the State Treasurer to
sell the U. S. Bonds belonging
to the Permanent School fund.
which was read the first time
on motion the rules were suspended
three fourths voting therefor
and the Bill was read the
second and third time by title
The question being shall the Bill pass?
those voting in the affirmative were
Messrs Abbott Arthur Hilton
Metz Kennedy Lynch Lovell
Sanford Tennant Thomas and
Mr President—10—
Mr Sheldon Excused from voting
~~Mr Tennant absent.~~
The majority having voted
in the affirmative
The Bill was passed.

Mr Metz by leave introduced
S.F. 190 A Bill for an act to
provide for the payment of the floating
debt of the State of Nebraska
which was read the first time
On motion the Rule were suspended
three fourths voting therefor -
And the Bill read the second and
third time
The question being shall the Bill pass
those voting in the affirmative.
were Messrs Abbott Cropsey Fallon
Metz Lynch Larsh Seafield
Baker Dennant Thomas and
Mr President 11
Mr Laedon voting in the negative
The majority having voted in
the affirmative the
The Bill passed.

Mr Hilton from the Committee on Engrossed & Enrolled Bills reported as follows;

Mr President

Your Committee on Enrolled Bills report they have Examined

L. F. 184 Entitled "An act to authorize the District Board of School District No 34 being the Brownville City School District of Nemaha County to issue Bonds" and that they find the same correctly Enrolled

B F Hilton Chr.
~~of Committee~~
~~Committee~~

When the ~~Speaker~~ President signed the same

Mr Thomas by leave introduced

L. F. 191 A Bill for An act to provide for the Collection of damages where death is caused by the wrongful act or omission of another

Which was read the first time on motion the rule were suspended three fourths voting therefore and the Bill was read a second time —

And Referred to the Judiciary Com

Mr Abbott by leave introduced
S. P. 192 A Bill for an act to
abolish the office of treasurer
of the Board of Regents of the
State University
Which was read the first
time
On motion the Rules were
suspended three fourths voting
therefor
The Bill read a second time
and Referred to Judiciary committee
Mr Tucker by leave introduced
S. P. 193 a Bill for an act to
provide for the recording the
State titles to certain lands
which was read the first time
On motion the rules were suspended
three fourths voting therefor
The Bill was read a second time
and referred to Judiciary Committee

13

Mr Scofield by leave introduced
S. F. 194 A Bill for an Act regulating
the management of the Public Schools
in Nebraska City and provide
means for their support
Which was read the first time
On motion the Rules were suspended
three fourths voting therefor
Bill read Second and third time
by title
The question recurred shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott Cropsey Fillon
Metz Kennedy Lynch Lorsh
Scofield Sheldon Yeiser Dennard
Thomas and Mr President = 13
None voting in the negative
The Bill passed -

Mr Timmons by leave introduced
S. C. 195 A Bill for an act to
Repeal an Act entitled an act
to prescribe the Duties of the Treasurer
of State, Counties and other Municipal
Corporations in certain cases and
enforcing their performance
Was read the first time
On motion the Rules were
Suspended three fourths voting
therefor
The Bill was read second time and
Referred to ~~Judiciary Committee~~
the Committee on Finance
Ways & Means

Mr Kennedy moved that the
President appoint an Engrossing
Clerk
Mr Allen moved to amend by
striking out "President appoint" and
inserting "Senate Elect"
Which was not agreed
The question recurring on the
original motion
It was agreed to and
the President appointed
John J. Roggen ~~of Lincoln~~

Concurrent Resolution relative to appointing a Joint Committee to examine State offices as to furniture &c

Was read the first time

Motion to make same Concurrent Resolution was read a second time and on motion the Resolution was adopted.

Mr Tennant moved that the President appoint the Joint Committee on the part of the Senate which was agreed to, and the President appointed as such committee on the part of the Senate Messrs Tennant and Thomas.

The President announced the following named Senators as Committee on Finance Ways & Means Mess. Metz Lynch, Larsh and the following named Senators a Committee on Enrolled & Enrolled Bills Messrs Hilton Scofield and Abbott

Mr Sheldon offered Concurrent Resolution relative to adjournment

Which was read the first time

Mr Sheldon moved a suspension of the Rule for a second reading

Which was not agreed to.

A Special Message from
the Acting Governor by
Geo W Whitehead private
Secretary

On motion the Senate
resolved itself into Executive
Session, after sometime spent
therein and proceedings had as stated in the
Record
On motion the Senate resolved
itself into legislative Session

Mr Schofield moved to adjourn
until 10 oclock A.M.

Mr Sheldon moved to amend by
striking out "10 oclock AM" and
inserting "7 oclock this Evening"

Which was agreed to.

The question recurring on the
Motion as amended
It was agreed to.

And the Senate at 4 oclock
P.M. adjourned until 7 oclock
this Evening.

17

Evening Session ~~January 11. 1872~~

Roll Call
Present Messrs Abbott Aropsey
Hilton Kennedy Lynch Lash
Scofield Tucker Tennant Thomas and
Mr President
Absent Mess Sheldon ~~Doctor~~.
On motion the Senate at 1/2 50 Oclock
adjourned until 10 Oclock A ~~M~~
to-morrow morning

Executive Session Jan 11. 1872

The following Special Message was received from Wm H James acting Governor by Geo P Whitehead Private Secretary

To the Honorable
The President and members of the Senate.
Gentlemen.

I herewith nominate, to the position of Warden of the State Penitentiary. Henry C. Campbell of Washington County.

Thomas Fielding. late Warden resigned on the 9th day of Sept a. D. 1871. and Henry C. Campbell was appointed his successor, on the 11th day of the same month. Since the appointment of Mr Campbell the discipline of the Prison has been improved, its expenses lessened, and the humanizing and softening system of kindness has been attended with beneficial results. I therefore take great pleasure in cordially endorsing the management and ability displayed by Mr Campbell

in the direction of the State Penitentiary,
and respectfully ask your concurrence.

Wm H. James
acting Governor.

Executive Chamber.
Lincoln Neb.
Jan 11th 1872.

Which was read.
The question being shall the Senate advise
and Consent to the nomination of C. Campbell
as Warden of the Penitentiary
The yeas and nays being demanded
The roll being called the affirmative were Messrs
Abbott Crosby Hilton Metz Kennedy Lynch
Lorch Lofield Sheldon Tucker Tennant
Thomas and the President — 13
No one voting in the negative
The appointment of C. Campbell as Warden
of the Penitentiary was duly confirmed
On motion the Senate resolved
itself into Legislative session

January 11th 1872

At 3 Oclock P.M the President resumed the Chair and the Sergeant at arms having made proper proclamation The Managers appointed to Conduct the trial of John Gillespie State Auditor upon Articles of Impeachment Exhibited against him by the House of Rep with the Counsel for the Respondent entered the Senate Chamber and took the seats assigned them -

Journal read and approved

Manager Daley informed the Senate sitting as a Court of Impeachment that the House of Representatives had voted unanimously to withdraw the charges contained in Articles of Impeachment against the said Respondent.

Whereupon Mr Nunes offered the following order to wit:

"Ordered that the Senate sitting as a court of Impeachment for the trial of John Gillespie State Auditor be now adjourned without day."

Which was adopted

when on motion the Senate sitting as a Court of Impeachment for the trial of John Gillespie upon Articles of Impeachment

adjourned without day

Thursday Jany 11th 1872

Prayer by the Chaplain

Roll called present Messrs Abbott Crapo Hilton Kelly Kennedy Lynch Penfield Pennant Tucker Thomas and Mr President

Absent Mr Sheldon

Journal read and approved

Mr Thomas from the committee on Election submitted the following report

Mr President—Your Committee on Elections to whom was referred the credentials of N B Lamb would respectfully report that the Certificate of election referred to us is in due form and we find therefor that Dr Napoleon B Lamb was elected Senator to fill the vacancy occasioned by the resignation of the Hon Robert Hawks

E N Thomas
Geo O Tucker

Mr Lapsley from the same committee submitted the following minority report

The undersigned one of the committee to whom was referred the Credentials of H B Lamb would beg leave to report that he finds said Credentials in due form but that he is informed by Hon A Roberts Atty General of the State of Nebraska and others that the said H B Lamb stands charged with the crime of embezzlement in connection to his own use much valuable property belonging to the State of Nebraska while acting as Superintendent of the State Lunatic Asylum and of other offences of the truth of which charges said Attorney General ~~is~~ informs one he has ample proof that can be immediately furnished the Legislature or a Committee thereof therefore the undersigned would recommend that said H B Lamb be not admitted to a seat in the Senate until said charges be investigated

H J Cropsey

Mr Scofield moved that the Report be adopted

Pursuant thereto
On motion of Mr Abbott at
12 oclock M the Senate took
a recess until 2 oclock PM

After Recess

Roll Call - Present Messrs
Cropsey Scofield Sheldon Tucker
Tennant Thomas and Mr President
Absent Messrs Abbott Hilton
Metz Kennedy and Lynch

A message from the House by
Mr Leroy their Chief Clerk

Mr President I am directed
to inform your honorable body
the House has passed a Con-
=current Resolution relative
to the appointment of a Joint
Committee

L E Leroy
Chief Clerk

Mr Cropsey moved the further
consideration of the Motion for the
adoption of the Majority report

of the Committee on Elections
in the case of Mr B Lamb be post=
=poned till 7 o'clock this evening

The Yeas and Nays being demand=
=ded — there voting in the affirma=
=tive were Messrs Abbott Cropsey
Metz Kennedy and Sheldon — 5.

Those voting in the negative
were Messrs Allen Lynch Mosher
Tennant Tucker Thomas and
Mr President ——— 7.

A Majority having voted in
the negative the Motion was not
agreed to

The question recurring on
the motion to adopt the Majority
report

It was agreed to

Whereupon the President ad=
=ministered the following oath
to wit

I do solemnly swear that
I will support the Constitution of
the United States and the Constitu=
=tution of the State of Nebraska and
faithfully and impartially discharge
the duties of my office as Member
of the State Legislature according

to the best of My ability
N B Lamb

The President announced the hour of 3 o'clock P M had arrived and under the order of the Senate the Legislative business of the Senate was suspended and the Senate sitting as a Court of impeachment in the trial of John Gillespie State Auditor resumed its session

After proceedings had therein as stated in the Record the President assumed the chair

Mr Lockhart by leave introduced S F 186 A Bill for an act to amend Section 492 Chapter 1 Title 14 of the Code of Civil procedure which was read first time

On Motion the rules were suspended three fourths voting therefor

The bill was read a second time and referred to the Committee on the Judiciary

Mr Kimberly ~~Mr~~ by leave introduced S F 187 A Bill for an act to amend Section 2 Chapter 18 of the Revised Statutes of Arkansas

Which was read the first time

On Motion the rules were suspended three fourths voting thereto

The bill was read a second time and referred to the Committee on the Judiciary

SF 188 A Bill for an act to amend Sec 10 of an act ~~for~~ entitled an act for a General Herd Law to protect cultivated lands from trespass by stock

Was read the first time

Mr Mutz by leave introduced SF 189 a Bill for an act to authorize the State Treasurer to sell the Ed Funds belonging to the Permanent School Fund

which was read the first time

On Motion the rules were suspended three fourths voting thereto

The bill was read the second and third time

The question being shall the bill pass?

Those voting in the affirmative were Messrs Abbott Corby Hilton Mutz Kinney Lynch Lusk Scofield Tennant Thomas and Mr President ——— 10

Mr Sheldon was excused from voting ~~Mr C~~

A Majority having voted in the affirmative

The bill passed.

Mr Mitz by leave introduced H 190 Entitled An Act to provide for the payment of the floating debt of the State of Vermont which was read the first time

On motion the rules were suspended three fourths voting therefor

The bill was read a second and third time

The question being shall the bill pass.

Then voting in the affirmative were Messrs Abbott Crapsey Hilton Mitz Lynch Nash Scofield Tennant Tucker Thomas and Mr Pandett - 11

Mr Sheldon voting in the negative

A Majority having voted in the affirmative

The bill passed

Mr Hilton from the committee on Engrossed and enrolled bills

ported as follows
Mr President

Your committee
on Enrolled bills report they have
examined
S F 184 Entitled "an act to authorize
the District Board of School District
No 34 living the Bennville
School district of Nemaha County
to issue Bonds" and that they
find the same correctly enrolled

B F Hilton Chm

When the President signed the
same

Mr Thomas by leave introduced
S F 191 A Bill for an act to provide
for the collection of damages
when death is caused by the wrong-
-ful acts or omission of another
which was read the first time

On Motion the rules were sus-
-pended three fourths voting thereto

The bill was read a second time
and referred to the committee
on the Judiciary

Mr Abbott by leave introduced
S F 192 A Bill for an act to abolish
the office of treasurer of the board of

regents of the State University
which was read the first time
On motion the rules were suspended
three fourths voting thereto
The Bill was read a second
time and referred to the committee
on the Judiciary
Mr Tucker by leave introduced
S F 193 A Bill for an act to provide
for ascertaining of State titles in
to certain lands
which was read the first
time
On motion the rules were suspend-
=ded three fourths voting thereto
The bill was read a second
time and referred to the committee
on the Judiciary
Mr Scofield by leave introduced
S F 194 A Bill for an act regulating
the management of the Public Schools
in Nebraska City and providing means
for their support
which was read the first time
On motion the rules were suspended
three fourths voting thereto
The Bills was read the second
and third time

The question being shall the bill pass?
Those voting in the affirmative were
Messrs Abbott Leroy Hilton Metz
Kennedy Lynch Lamb Scofield
Sheldon Tucker Tennant Thomas
and the President — 13
Those voting in the negative
the bill passed
Mr Thomas by leave introduced
S.F. 195 A Bill for an act to
repeal an act entitled an act
to prescribe the duties of Treasurers
of State Counties and other Mun-
=icipal Corporations in certain
cases and enforcing their per-
=formance
Was read the first time
On motion the rules were sus-
=pended three fourths voting
therefor
The bill was read the second
time and referred to the committee
on finance Ways and Means
Mr Kennedy moved the President
appoint an Engrossing Clerk
Mr Hilton Moved to amend
by striking out the words "President
appoint" and insert the words

"Senate Elect"

Which was not agreed to

The question occurring on the original Motion

The Motion was agreed to and

The President appointed John Rogers

An Amendment Resolution relative to appointing a Joint Committee to examine State offices as to Furniture &c

Was read the first time

On Motion the rules were suspended three fourths voting thereto

The Resolution was read a second time and

On Motion the Resolution was adopted

Mr Pennant moved the President appoint a Joint Committee on the part of the Senate

which was agreed to and

the President appointed Messrs Pennant and Thomas as such committee

The President announced the following named Senators

as Committee on Finance
Ways and Means & viz
Messrs Metz Lynch and Lark
and the following named Senators
as Committee on Engrossed and
Enrolled Bills & viz Messrs
Hilton Scofield and Abbott

Mr Sheldon offered Concurrent
Resolution relative to Adjournment
which was read the first time

Mr Sheldon moved a suspension
of the rules for a second reading
which was not agreed to

A Message from the Acting
Governor by Hon H Hitchcock
his Private Secretary

On motion the Senate resolved
itself into Executive Session

After proceedings had as
stated in the record

On motion the Senate resolved
itself into Legislative Session

Mr Scofield moved to adjourn
until 10 o'clock tomorrow morning

Mr Sheldon moved to amend
by striking out "10 o'clock tomorrow
morning and inserting "7 o'clock

this Evening"

which was agreed to

The question Occurring on the Motion as amended

It was agreed to and the Senate at 4 PM took a recess until 7 oclock this evening

After Recess

Roll Call

Present Messrs Abbott Copley Hilton Kennedy Lynch Larsh Scofield Tucker Tennant Thurman and Mr President

Absent Mr Sheldon

On Motion at 7 oclock PM the Senate adjourned till 10 oclock tomorrow Morning

Friday Jan 12-1872

The Senate met pursuant to adjournment,

Prayer by the Chaplain

Roll Call-

Present Messrs. Abbott, Crapsey
Hillon, Metz Kennedy Lynch, Larsh
Lesfield Sheldon Tucker Tennant
Thomas and Mr President-

Journal read and approved.

A Message from the House
of Representatives by Mr
Webster assistant Clerk

over

2

H. R. Jan 12

Mr President I am directed to inform you honorable body that the House has passed

S. F. 193 An act supplementary to an act entitled an act to provide for calling a Con. Convention, approved March 27 1871 with amendments.

also

S. F. 194 an act regulating the management of the Public schools of Neb. City

also

H R 322 above for an act to authorize the County Commissioners of Knight Co to issue Bonds. The action of your honorable body is solicited

Yours
Chapter

3

H. R.,
January 11 1872

Mr President
I am directed to
inform your honorable body
that the House has passed
H R 305 abill for an act to
make the the benefits of the
exemption law.

also

H R 310 an bill for an
act to locate a State Road
from Lucien D Lane ~~Creek~~ Fork
Station

also

H R 318 a bill locating a
State Road from ~~Lucien~~ Lane
Loup Fork to the State
line I do direct of your
honorable body's
requested

Chief Clerk

40

HR Jany 11/82

Mr President-

I am directed to inform

you that the House has

the House has passed

H.R. 325- Joint Resolution and Resolution relating to Niagara Falls imprisonment- also H.R 326 Resolution and Resolution relating to Niagara Falls -

in which I am directed to request the Senate concurrence

you that

L E Chittenden

Clerk

5

H. R.
Jan 11 1892

Mr President.

I am directed

by the Honorable

body that the House has

passed a Res. Resolution

relative to adjournment

to the Senate

I am requested

by the same

Clk

Mr Cropsey rose to a question of privilege which was granted

Mr Abbott moved that the Senate concur in the Amendments of the House ~~of Representatives~~ to S.F. 173 a Bill for an Act Supplementary to an act entitled an act to provide for calling a convention to revise alter or amend the Constitution of the State of Nebraska approved March 2d 1871

Mr Decker moved the further consideration of the motion to concur be postponed till tomorrow

which was not agreed to

The question recurring on the ~~Original~~ motion to concur

It was agreed to.

Mr Hurd from the Committee on Judiciary reported as follows

Mes

Mr President

Your committee to whom was referred S. F. 193 "A bill for an Act to provide for recording the Statutes which certain lands" would respectfully report that they have carefully examined the same and recommend that it do pass

E. D. Chase

Committee

C. B. Scofield

On motion of Mr Thomas the Report was adopted

On motion the Rules were suspended
three fourths voting therefor ~~and the~~
the Bill was read a third time
The question being shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott Crosby Hilton
Metz Kennedy Lynch Large
Layfield Sheldon Snow Tennant
Thomas and Mr President - 14
"No one voting in the negative
The Bill passed

Mr Thomas from the Committee
on Elections reported as follows.

Mr President

The Committee on Elections to whom
was referred S. F. 179 would
respectfully report that the
same was made with the
recommendation that it
be considered in committee
of the whole.

E. N. Thomas
~~A. B. Sheffield~~
Geo L. Tucker-

on motion the report was adopted
and the Bill referred to the Committee of the whole

9

Mr Sherman from the Committee
on the Judiciary reports a forclosure

Pr. Pendrut

Your committee on
Judiciary to whom was
referred H. F. 191 "A bill for
an Act to provide for the
collection of damages when
death is caused by the
wrongful act or omission
of another" would respect-
fully report that we
have carefully examined
the said bill and recom-
mend that it do pass

E. N. Thayer
L. A. Abbott
G. B. Seafield.

On motion the report was
adopted —

On motion the Rules were suspended three fourths voting therefor and S. C. 191 A Bill for an act to provide for the collection of damages where death is caused by the wrongful act or omission of another.

was read the third time

The question being shall the Bill pass?

Those voting in the affirmative were Messrs Abbott, Crosby, Hilton Metz Kennedy, Lynch, Lorah Seofield Shelden Tucker Dennant Thomas and Mr President. = 13

No one voting in the negative

The Bill was passed

Mr Thomas from the Committee on the Judiciary reported as follows

Mr President

Your committee on judiciary to whom was referred S. No. 187. would respectfully report that we have examined the same and recommend that it be amended in committee of the whole

E. M. Thomas
Broadbent
G. B. Scofield

On motion the report was adopted and the Bill was referred to the Committee of the Whole House

13

Mr Thomas from the Judiciary Committee reported as follows

Mr President

Your Committee on Judiciary to whom was referred S.F. 175 would report same back with the recommendation that it be considered in Committee of the whole house

E. D. Thomas
Chairman
G. B. Sargisel,

On motion the report was adopted and the Bill was referred to Committee of the Whole House

Mr Thomas from the Judiciary Committee reported as follows

On

Mr President

Your committee on judiciary to whom was referred H. F. 192 "A Bill for an Act to abolish the office of treasurer of the board of regents of the State University," would respectfully report that we have carefully considered the said bill and recommend that it do pass —

E. N. Thomas
Abbott
L. B. Sargent.

Adopted

On motion the Report was adopted

Mr Abbott moved that the Rules be suspended and the Bill read a third time

Reading which

On motion the Senate at 12 o'clock. ~~adjourned~~ took a recess until 2 o'clock PM

After Recess

Roll Call.
Present Messrs Abbott Arrpey Hellen
Lynch Lynch Seafield Sheldon
Thaker Tennant Thomas and
Mr President.
Absent Mr Metz & Kennedy

Mr Abbott withdrew the
Motion to suspend the Rules
for a third Reading (S.F. 192)
Mr Abbott moved that the
Bill (S.F. 192) be recommitted to
the Committee on Finance Ways
and Means

Which was agreed to.

The Resolution relative to the ~~Seat~~
Elegable ~~occupied by~~ Mr Hellen to act as
Reader in this House
was read a second time
Mr Seafield moved that further
consideration of the Resolution be
postponed until Tuesday next
~~June 6 1892~~.

The Ayes and Nays being
demanded
The voting in the affirmative
were Messrs Hellen, Lynch

Cook Scofield Tucker Dennant
and Mr President —7
Those voting in the Negative
were Messrs Abbatt Croft Sheldon
Thomas — 4 —
a majority having voted in the
affirmative Mr Resolution was
declared carried

Mr Cropsey moved to suspend the
Rules for the purpose of reading the
second Concurrent Resolution
to revive Joint Investigating
Committee.

Ayes and Nays being demanded
the vote in the affirmative were
Messrs Abbatt Cropsey Lynch
Cook Scofield Sheldon Tucker
Dennant — Thomas & Mr President — 10
Mr Hilton voting in the negative —
The majority having voted in the
affirmative, the Rules were
suspended and the Resolution
was read a second time and
on motion was adopted — moved: that resolution was adopted
Mr Sheldon to reconsider the vote whereby
Whereupon not agreed to —

Mr Tucker by leave introduced
S.F. 196 - A Bill for an act for the
Relief of Thayer & Boomer of Chicago
Which was read the first time
On motion the Rules were suspended
three fourths voting therefor and
the Bill was read a second time
Mr Tucker moved to suspend the Rules
for a third reading &
Which was not agreed to
On motion of Mr Tucker
the Bill was referred to the
Committee of the Whole House
Mr Bennant Hyland introduced
S.F. 197 a Bill for an act for the
Relief of Dawson County
Which was read the first time
On motion the Rules were suspended
three fourth voting therefor -
the Bill was read a second and
third time
The question being shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott Bixby Allin Lynch
Lorch Schofield Skelton Tucker
Bennant Thomas and the President
- 11. None voting in the negative
the Bill was passed

18

Message from the Acting Governor by Mr Whitehead his private Secretary

To the Honorable
The Speaker and members of the Senate.
Gentlemen.

Since the adjournment of your honorable body in march last, I have urged the payment of the claims of the State, against the General Government, on account of expenses incurred in consequence of Indian hostilities, through an agent at Washington - to whom I issued a commission for that purpose.

Through his efforts I am able to report the collection of the sum of $4.834 9/100.

In view of the short time that would elapse between the time of its receipt and the meeting of your honorable body, it was not deemed advisable to so place

this amount as to allow its appropriation to other purposes, than that for which the appropriation was made by the General Government, and it has therefore been held as a deposit in the Treasury to await such disposition as the wisdom of your honorable body may suggest.

I would respectfully recommend the adoption of such legislation, as will apply this, and any further amounts which may be derived from this source, to the payment of such claims of our citizens as remain unpaid, on account of these claims.

I have the honor to remain
Very Respectfully.
Wm H James
acting Governor.

Executive Department.
Jan. 12. 1892

Message from the House by Mr Webster asst Clerk

20

H.R. Jany 11/1872

Mr President

I am directed to inform your honorable body that the House of Representatives has passed the following bills

H.R. 302 a Bill for an act in relation to Guardians and Wards also

H.R. 304 a Bill for an act to define the boundaries of Red Willow County and provide for its Organization also

H.R. 312 a Bill for an act to extend the time for the payment of interest on notes given for the purchase of School lands also

H.R. 316 a Bill for an act to locate a State road from a point on the B & M R.R. in Nebraska to Red Willow in Red Willow County

In which I am directed to ask the concurrence of your honorable body

E. E. Brown Clk H.R.

also H.R. 301 a Bill for an act to provide for the payment of the building and erection of the temporary Insane Asylum

In which I am further to ask the concurrence of your honorable body

J. R. Webb
Asst Clk H.R.

Mr Copley by leave introduced
S.F. 198 a Bill for an Act to
amend Section 74 of Chapter 38 of
the of Revised Statutes of Nebraska
which was read the first time
on motion the Rules were suspended
thereupon and said Bill was read the second time
the Bill was read a second time
and Referred to the committee
on the Judiciary

Mr Lillie from the Committee on
Engrossed & Enrolled Bills reports
as follows.

Your Committee on Enrolled
Bills by leave report that they
did at four Oclock P M Jan 11. 1872
present ~~the following Bill Enrolled~~
A Bill for an act to authorize
the District Board No 34 of
Nemaha County to issue bonds
to the acting Governor for his approval.
B. F. Hilton Chmn

Also

22

Mr Broderick.

Your Committee on enrolled and engrossed bills, to whom was referred S 7.173. - entitled - "An act supplementary to an act entitled an act to provide for calling a convention to revise alter or amend the Constitution of the State of Nebraska approved March 2 - 1871" -

Respectfully reports that they have examined & compared the Room and find it correctly enrolled -

B B Hilton Chm

When the President signed the same. ~~in open Senate~~

On motion of Mr Tucker the Senate resolved itself into the Committee of the Whole House to take into Consideration S. F. 196 A Bill for an act for the relief of Mayor & Boomer of Chicago - Mr Thomas in the chair After some time spent therein the Committee arose and ~~Thos~~ of the chairman reported the Bill ~~back~~ with the recommendation that the same do pass.

On motion of Mr Tucker the Rules were suspended three fourths voting therefor

~~And~~ the Bill was read a third time The question being shall the Bill pass? The voting in the affirmative were Messrs Abbott Allen Gilchrist Seofield Sheldon Tucker Tennant and Mr President — 9

Messrs Cropsey & Thomas voting in the negative — 2.

The majority having voted in the affirmative the Bill ~~was~~ passed.

Mr Tucker by leave introduced a Bill
S.F. 199 for an act to encourage
the development of the Coal deposits
of the State of Nebraska
which was read the first time
on motion the Rules were suspended
three fourths voting therefor -
~~and~~ the Bill was read a
second time ~~and~~ on motion of Mr Tucker referred to the
Committee of the whole House
Mr Abbott by leave introduced
S.F. 200 A Bill for an act amend
section 3 of Chapter 28 of the
Revised Statutes entitled Interest
which was read the first time
on motion the rules were suspended
three fourths voting therefor ~~and~~ the
Bill was read a second time and
referred to the Judiciary Committee
Also
S.F. 201 A Bill for an act to
amend sections 10 and 11 of
Title 2nd of the Code of Civil
Procedure
which was read the first time
on motion the Rules were suspended
three fourths voting therefor ~~and~~ the
Bill was read a second time and
referred to the Judiciary Committee

Mr Larsh introduced
S. F. 212. A Bill for an act for
the Government of Asylum for
Insane
Which was read the first time
on motion the Rules were suspended
three fourths voting therefor ~~and~~
the Bill was read a second
time and on motion was duly
Was Referred to the Com of the
Whole House
Mr Schofield then introduced
S. F. 203 A Bill for an act in
relation to the time of commencing
actions for the recovery of real
property
Which was read the first time
on motion the Rule were suspended
three fourths voting therefor and
the Bill was read the second time
and referred to the Judiciary Comte
Mr Abbott introduced
S. F. 204 A Bill for an act to provide for the
Government of the Insane Asylum
Which was read the first time
on motion the Rules were suspended three
fourths voting therefor ~~and~~ the Bill
was read a second time and referred to
the Com of Whole House

On motion of Mr Hilton ~~Rule~~ the Rules were suspended three fourths voting therefor and asked for the reading HR 322 a Bill for an act to authorize the County Commissioners of Washington County to issue Bonds or Negotiable Certificates of Indebtedness to pay interest on Rail Road Bonds

Which was read the first time on motion the Rules were suspended three fourths voting therefor. The Bill was read a second and third time by title.

The question being Shall the Bill pass Those voting in the Affirmative were Messrs Abbott, Cropsey, Hilton Lynch, Lorsh, Scofield, Walker Tennant, Thomas & Mr President 10

Mr Sheldon voting in the negative-

The majority having voted in the affirmative

The Bill passed.

H R 325 [redacted]
Preamble & Resolution of Legislature of Nebraska in relation to Wisconsin & Fox River improvements
Was read first time
On motion the Rules were suspended three fourths voting therefor & the Bill was read a second & third time by title.
The Question Cong shall the Bill pass?
Those voting in the affirmative were Messrs Abbott Dorsey Hillen Lynch Lorsh Seofield Sheldon Tucker Durant Mears and Mr President — 11 —
No one voting in the negative the Bill passed.
[redacted]
H R 326 Preamble & resolutions in relation to Niagara Ship Canal.
Was read first time.
On motion the Rules were suspended three fourths voting therefor and the Bill read a second & third time by [redacted] title.
The Question Cong shall the Bill pass?
Those voting in the affirmative were Messrs Dorsey Hillen Lynch Lorsh Seofield Sheldon Tucker

Thomas and Mr President &c—
no one voting in the negative
the Bill was passed.

H R 307 a Bill for an act to provide
for the payment of the Building and
creation of temporary insane Asylum
was read the first time
On motion the rules were suspended
three fourths voting therefor and
the Bill was read the second and
third time
The question being shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott Aspley Allen Metz
Lynch Lash Seafield Sheldon
Baker Thomas & Mr President—11
No one voting in the negative
the Bill was passed
by unanimous consent
Mr Thomas introduced
H R 205 a Bill for an act to appoint
a Commissioner to prepare a
Criminal Code for this State—
which was read the first time
On motion the Rules were suspended
three fourths voting therefor and
the Bill was read a second time and
referred to the Committee on the Judiciary

Motion of Mr Abbott the Rules were suspended this forthcoming thereto and

S.F. 188 an act to amend Sec 10 of the Act entitled an act for a General Herd Law to protect cultivated Land from Runaway Stock — was read a second time and referred to the Committee on Agriculture —

Mr Hilton from the committee on Engrossed Enrolled Bills reported as follows

Your Committee on Engrossed Enrolled Bill beg leave to report that they have compared and examined the following Bill Entitled S.F. 194. A Bill for an act regulating the Public Schools of Nebraska City and to provide means for their support

B F Hilton Chr

When the President signed the same in open Session

Mr Hilton Also reported

The Committee on Enrolled & Enrolled Bills report that they did at four o'clock P.M. January 12th 1892 present to the acting Governor for his signature the following Bills

S.F. 173 An act supplementary to an act entitled an act to provide for calling a Convention to revise Alter or amend the Constitution of the State of Nebraska approved Mar 27 1871

Also

S.F. 194 A Bill for an act regulating the management of the Public Schools of Nebraska City and provide further Relative.

B. J. Hellon Chr

On motion of Mr Tucker the Senate at 5 o'clock P.M. adjourned until 10 o'clock to morrow morning.

Friday June 12 1874

Prayer by the Chaplain

Roll Call

Present Messrs Abbott Cropsey
Hilton Metz Kennedy Lynch Lash
Scofield Sheldon Tucker Tunnicliff
Thomas & the President

Journal read and approved

A Message from the House
by Mr Wolfenstein Assistant
Clerk

Mr President

I am directed to in=
=form your Honorable body that
the House has passed
S F 173 An Act Supplementary
to an act entitled an act
to provide for calling a Constitu=
=tional Convention approved
March 27th 1871 with amendments
Also
S F 194 An Act regulating the
Management of the Public Schools
of Nebraska City
Also

H R 322 A Bill for an act to Authorize the County Commissioners of Washington County to [redacted] issue Bonds

Also

H R 305 A Bill for an act to waive the benefit of the exemption laws

Also

H R 310 A Bill for an act to locate a State Road from Lucerne to London Station

Also

H R 318 A Bill locating a State Road from Long Fork to the State Line

Also

H R 325 Preamble & Resolution relative to Mechanic and Fox rivers improvement

Also

H R 326 Preamble and Resolution relating to Niagara Falls

Also

Concurrent Resolution relative to adjournment

The Action of your Honorable body is requested

L E Crofut
Chief clerk

Mr Croxy rose to a question of
privilege which was granted
Mr Abbott moved the Senate
concur in the amendments of the
House to S F 173 a Bill for an
act Supplimentary to an act
entitled an act to provide for
calling a Convention to revise
alter or amend the Constitution
of the State of Nebraska Approved
March 27th 1871
Mr Tucker moved the further
consideration of the motion be
postponed till tomorrow
which was not agreed to
The question recurring on the
motion to Concur
It was agreed to
Mr Thomas from the Committee
on the Judiciary submitted the
following report
Mr President
Your Committee on
Judiciary to which was referred
S F 193 "a Bill for an act to provide
for recording the State title to
Certain Lands" would respectfully
report that we have carefully

examined the same and
recommend that it do pass
E N Thomas
S A Abbott
G B Scofield

On motion of Mr Thomas
the Report was adopted

On motion the rules were
suspended three fourths voting
therefor

The bill was read a third time
The question being shall the bill
pass?

Those voting in the affirmative
were Messrs Abbott Cropsey
Hilton Metz Kennedy Lynch
Lamb Scofield Sheldon Tucker
Tennant Thomas and McPherson

Those voting in the negative
the Bill passed

Mr Thomas from the committee
on Elections submitted the following
report

Mr President

Your committee on
Elections to whom was referred
S 179 would respectfully

report the same back with
the recommendation that
it be considered in Committee
of the whole

E N Thomas
Geo P Tucker

On motion the report was adopted
Mr Thomas from the Committee
on the Judiciary submitted
the following report
Mr President

Your Committee on
the Judiciary to whom was referred
S 191 "A Bill for an act to provide
for the collection of damages when
death is caused by the wrongful act
or omission of another" would
respectfully report that we have
carefully examined the said bill
and recommend that it do
pass

E N Thomas
Oa Abbott
L B Warfield

On Motion the report was adopted
On Motion the rules were suspended
three fourths voting therefor
S 191 A Bill for an act to

provide for the collection of damages
when death is caused by the wrongful
act or omissions of another
was read a third time
The question being shall the
bill pass
Then voting in the affirmative
were Messrs Abbott Cooper Hiller
Mitz Kennedy Lynch Lusk
Scofield Sheldon Tucker Tuman
Thomas and Mr President — 13
In the voting in the negative
The bill passed
Mr Thomas from the Committee
on the Judiciary submitted the
following report
Mr President

Your Committee
on the Judiciary to whom was
referred S F 187 would respectfully
report that we have examined
the same and recommend
that it be considered in Committee
of the whole

E M Thomas
O A Abbott
G B Scofield

On motion the report was adopted

and the Bill was referred to the
Committee of the whole House

Mr Thomas from the Committee
on the Judiciary submitted the
following report

Mr President

Your Committee
on the Judiciary to whom was referred
S F 175 would report the
same back with the recommen-
=dation that it be considered in
Committee of the whole House

E N Thomas
O A Abbott
G B Scofield

On motion the Report was adopted
and the Bill was referred to the Com-
=mittee of the whole House

Mr Thomas from the Committee
on the Judiciary submitted the following
report

Mr President

Your Committee
on the Judiciary to whom was referred
S F 192 "A Bill for an act to abolish
the office of Treasurer of the Board
of Regents of the State University"
would respectfully report that we

have carefully considered the said ~~bill~~ bill and recommend that it do pass

E N Thomas
O A Abbott
by B Scofield

On motion the report was adopted

Mr Abbott moved the rules be suspended ~~for a third~~ and the bill be read a third time

Pending which

On motion at 12 o'clock M the Senate took a recess until 2 o'clock P M

After Recess

Roll call

Present Messrs Abbott Cropsey Dillon Lynch Lamb Scofield Sheldon Tucker Tunnicliff Thomas and Mr President

Absent Messrs Metz & Kennedy

Mr Abbott withdrew his motion to suspend the rules for a third reading of the bill S F 192

Mr Abbott moved the bill S F 192

be committed to the committee on Finance Ways and Means

which was agreed to

The Resolution of Mr Hilton to a seat as Senator in this House

Was read a second time

Mr Scofield moved the further Consideration of the Resolution be postponed until Tuesday next

The Yeas & Nays being demanded

Those voting in the affirmative were Messrs Hilton Lynch Lash Scofield Tucker Dimmick and the President ——— 7

Those voting in the negative were Messrs Abbott Cropsey Sheldon and Thomas ——— 4

A Majority having voted in the affirmation the further Consideration of the Resolution was postponed till Tuesday next

Mr Cropsey moved to suspend the rules for a second reading of Concurrent Resolution to revive the Joint Investigation Committee

The Yeas & Nays being demanded

Those voting in the Affirmative were Messrs Abbott Cropsey

Lynch Lansh Scofield Sheldon
Tucker Tennant Thomas and
Mr President ——— 10
Mr Stiles voting in the
negative
A Majority having voted in the
affirmative the rules were suspended
The resolution was read a second
time and
On motion was adopted
Mr Sheldon moved to reconsider
the vote whereby the resolution was
adopted
which was not agreed to
Mr Tucker by leave introduced
S F 196 A Bill for an act for the relief of
Thayer & Bloomer of Chicago
which was read the first time
On motion the rules were suspended
three fourths voting therefor
The Bill was read a second
time
Mr Tucker moved to suspend the
rules for a third reading
Which was not agreed to
On motion of Mr Tucker ~~the~~
The bill was referred to ~~the~~ a
committee of the whole House

Mr Tennant by leave introduced
S J 197 A Bill for an act for the
relief of Dawson County
which was read the first time
On motion the rules were sus-
=pended three fourths voting thereto
The bill was read a second and third
time
The question being shall the bill
Pass!
Those voting in the affirmative
were Messrs Abbott Ashby Hilton
Lynch Lauck Scofield Sheldon
Tennant Tucker Thomas and
Mr President ——— 11
Those voting in the negative
the Bill passed

A message from the Govern
by Jas Whitehead his Secretary

To the Honorable
The President and Members of
the Senate
Gentlemen
Since the adjournment of your
Honorable Body in March last

I have urged the payment of the claims of the State against the General Government on account of expenses incurred in consequence of Indian hostilities, through an Agent in Washington & whom I issued a commission for that purpose Through his effort I am able to report the collection of the sum of $4834\frac{94}{100}$

In view of the short time that would elapse between the time of its receipt and the meeting of your Honorable Body it was deemed adviseable to so place this amount as to allow its appropriation to other purposes than that for which the appropriation was made by the General Government and it has therefore been held as a deposite in the Treasury to await such disposition as the wisdom of your honorable body may suggest

I would respectfully recommend the adoption of such legislation as will apply this and any further amounts which may be derived

from this source to the payment
of such Claims of our Citizens
as remain unpaid on account
of there Claims

I have the honor to remain
Very Respectfully
Wm H Lewis
Actg Secretary

Executive Department
Jan 12th 1872

A Message from the House
Mr Webster Assistant Clerk
Mr President

I am directed to
inform your honorable body that the
House of Representatives has passed
the following bills

H R 302 A Bill for an act in
relation to Guardians and Wards
Also
H R 304 A Bill for an act to
define the boundries of Red Willow
County and provide for its organiza-
=tion
Also
H R 312 A Bill for an act
to extend the time for the payment

of interest on notes given for the
purchase of School lands
Also
H R 316 A Bill for an act to
locate a State Road from a
point on the B & M R R in Nebraska
to Red Willow in Red Willow County
also ~~H R~~
H R 301 A Bill for an act to
provide for the payment of
the building and Erection of the
temporary Insane Asylum
On which I am directed to
ask the concurrence of your
honorable body

J R Webster
Asst Clerk

Mr Dorsey by leave introduced
S F 198 A Bill for an act to amend
Section 14 of Chapter 38 of the revised
Statutes of Nebraska
Which was read the first time
On Motion the Rules were suspended
three fourths voting therefor
The bill was read the second time
and was referred to the committee
on the Judiciary
Mr Hilton from the Committee on

Engrossed and Enrolled bills submitted the following report

Your Committee on Enrolled bills beg leave to report that they did at four oclock PM Jan 11 1872 present A Bill for an act to authorize the District Board No 34 of Nemaha County to issue bonds & the — acting Governor for his approval

B F Hilton Chm

Also

Mr President

Your Committee on Enrolled and Engrossed bills to whome was referred S F 173 entitled an act supplementary to an act entitled an act to provide for calling a Convention to revise alter or amend the Constitution of the State of Nebraska Approved March 27th 1871

Respectfully report we have examined and compared the same and found it correctly enrolled

B F Hilton Chm

When the President signed the same

On Motion of Mr Tucker the Senate resolved itself into the Committee of the whole House to take into Consideration

S F 196 A Bill for an act for the relief of Thayer & Bloomer of Chicago with Mr Thomas in the chair

After some time spent therein the Committee arose and by their Chairman reported the bill with the recommendation that the same do pass

On Motion of Mr Tucker the rules were suspended three fourths voting thereto

The bill was read a third time

The question being shall the bill pass.

Those voting in the affirmative are Messrs Abbott Hilton Lynch Laird Scofield Sheldon Tucker Tennant and Mr President ——— 9

Messrs Keeley & Thomas voting in the negative ——— 2

A Majority having voted in the affirmation the bill passed

Mr Tucker by leave introduced S F 199 A Bill for an act to ~~[illegible]~~ encourage the development of the Coal deposits of the State of Nebraska which was read the first time

On Motion the rules were suspended three fourths voting thereto

The bill was read a second time

On motion of Mr Tucker the bill was referred to a committee of the whole House

Mr Abbott by leave introduced S F 200 A Bill for an act to amend Section 3 of Chapter 28 of the Revised Statutes entitled Intent

Which was read the first time

On motion the rules were suspended then fourths voting thereto

The bill was read a second time and referred to the Committee on the Judiciary

Also

S F 201 A Bill for an act to amend Section 10 and 11 of Title 2nd of the Code of Civil procedure

which was read the first time

On motion the rules were suspended thirfourths voting thereto

The bill was read a second time and referred to the committee on the Judiciary

The Clerk by unanimous consent introduced

S F 202 A Bill for an act for the government of ~~the~~ Asylums for Insane

Which was read the first time
On motion the rules were suspended
three fourths voting thereto
The bill was read a second time
On motion of Mr Lamb the bill was
referred to a committee of the whole
House
Mr Scofield & measures Comm
introduced
S F 203 A Bill for an act in re-
=lation to the time of commencing
actions for the recovery of real property
Which was read the first time
On motion the rules were suspended
three fourths voting thereto
The bill was read a second time
and referred to the committee on the
Judiciary
Mr Abbott introduced
S F 204 A Bill for an act to provide
for the government of the Insane
Asylum
which was read the first time
On motion the rules were suspended three
fourths voting thereto
The bill was read the second time and
on motion the bill was referred to a Com-
=mittee of the whole House

Mr Hilton asked for the reading of H R 322 A Bill for an act to authorize the County Commissioners of Washington County to issue bonds or other certificates of indebtedness to pay interest on Rail Road Bonds

Which was read the first time On motion the rules were suspended three fourths voting thereto

The bill was read a second and third time

The question being shall the bill pass!

Those voting in the affirmative were Messrs Abbott Cropsey Hilton Lynch Lamb Scofield Tucker Tennant Thomas and McPherrin

10

Mr Sheldon voting in the negative – 1

A Majority having voted in the affirmative

The bill passed

H R 325 Preamble and Resolution of the Legislature of Nebraska in relation to Niagara and Fox River Improvement

was read the first time

On motion the rules were suspended
three fourths voting thereto
The bill was read a second and
third time
The question being shall the
bill pass!
Those voting in the affirmative
were Messrs Abbott Crosby Hilton
Lynch Lamb Scofield Sheldon
Tucker Tennant Thomas and
Mr President — — 11
No one voting in the negative
The Bill passed
A R 326 Preamble and Resolution
in relation to Niagara Falls Ship
Canal
Was read first time.
On motion the rules were sus-
pended three fourths voting thereto
The bill was read a second and
Third time by its title
The question being shall the bill
Pass!
Those voting in the affirmative
were Messrs Crosby Hilton Lynch
Lamb Scofield Sheldon Tucker
Thomas and Mr President 9
No one voting in the negative

The Bill passed
H R 30 / A Bill for an act to
provide for the payment of the
building and erection of temporary
Insane Asylum
Was read first time
On motion the rules were suspend-
ded three fourths voting thereto
The bill was read a second and
third time
The question being shall the bill
pass
Those voting in the affirmative
were Messrs Abbott Cropsey Hilton
Metz Lynch Lamb Scofield Shields
Tucker Thomas and Mr President — 11
No one voting in the negative
The bill passed
Mr Thomas by unanimous consent
introduced
S 305 a bill for an act to appoint
a commission to prepare a
Criminal Code for this State
Which was read the first time
On motion the rules were suspended
three fourths voting thereto
The bill was read a second and
third time and referred to the

Committee on the Judiciary

On Motion of Mr Abbott the rules were suspended three fourths voting therefor and S.F 184 a bill for an act to amend Sec 10 of the act Entitled an act for a General Stock Law to protect Cultivated Lands from trespass by Stock

Was read a second time and referred to the Committee on Agriculture

Mr Hilton from the Committee on ~~Enrolled~~ Engrossed and Enrolled bills submitted the following report

Your Committee on Engrossed and Enrolled Bills beg leave to report that they have compared and Examined the following bills entitled S.F 194 A Bill for an act regulating the public Schools of Nebraska City and to provide means for their support

B F Hilton Chm

When the Pendent report was read Mr Hilton also reported

The Committee on Engrossed and Enrolled bills report that they did

at 4 oclock PM January 12th
1872 present & the acting Governor
for his signature the following bills
S.F 173 An act supplementary to
an act entitled an act to provide
for calling a convention to revise
alter or amend the Constitution
of the State of Nebraska approved
March 2d 1871

Also

S.F 194 A Bill for an act regu-
=lating the Management of the
Public Schools of Nebraska City and
providing for their support

B.F Hilton Chm

On Motion of Mr Tucker at
4 5/6 oclock PM adjourned
till 10 oclock tomorrow
Morning

Saturday Jan 13th 1872

Prayer by the Chaplain

Roll Call.

Present Messrs Abbott, Dropsey
Hilton Metz Lynch Lasch Sofield
Sheldon Tucker Tennant Thomas
and Mr President -
Absent Mr Kennedy

Journal read and approved

Mr Metz from the committee
on Finance Ways & Means reported
as follows.

over

2

Mr President

Your Committee to whom was referred S. F. 195 an Act to prescribe the duties of the Treasurers of the Counties & other Municipal Corporations in certain cases & enforcing this performance would respectfully beg leave to report that they have had the same under consideration and would report the same back to this honorable body with a recommendation that it do not pass.

Frederick Metz
N B Lamb
Thomas Lucas

mr Metz from the committee on Finance Ways and means Submitted the following Report

(3

Mr President -

a Minority ~~Report~~ Committee now to whom was referred S+192 An Act to abolish the Office of Treasurer of the Board of Regents of the State University would respectfully beg leave to report that they have had the same under consideration and would report the same back to this honorable body with a recommendation that it do pass

Frederick A Stotz

A message from the House by Mr Webster asking

H R Jan 13 1874

Mr President

I am directed
to inform You honorable that
the House of Rep. has passed

H R 311 a bill for an act
to organize and define the boundaries
of Frontier County.

also

H R 312 for an act to encourage
& develope the agricultural
and Horticultural resources
of Neb.

Also

H R 313 a bill for
an act to appoint a
Commission to compile
the laws of Nebraska.

The action of the
House is requested.

Mr Lamb from the Committee
on Finance reps that
submitted the following
Majority Report

5

~~Mr. Lynch from Com. Finance & Appeals to follow~~

Mr Majority from Committee to whom was referred ~~the~~ bill for an act to abolish the office of the treasurer of the State Board of Regents have taken the same under consideration and respectfully report that the bill do not pass

M B Lynch
Thomas Finch

Mr Cropsey rose to a question of
privilege which was granted
Mr Schofield rose to a question of
privilege. which was granted

Mr Thomas. moved to suspend the Rule,
& take into consideration the Minority
Report of the Committee of Finance
Ways & Means relative to the
Treasurer of the Board of Regents
of State University
Mr Quaker moved to amend
by striking out words "minority"
and inserting "majority"
which was not agreed to
The question recurring on the
original motion
The ayes and nays being demanded
Those voting in the affirmative
were Messrs Abbott Cropsey
Metz Lyon Sheldon & Thomas 6
Those voting in the negative were
Messrs Hillon, Karoh, Schofield
Maker, Jermant & Mc Laudent 6
a majority ~~Those~~ not voting in the
affirmative The motion was
not agreed to -

7

Mr Thomas from the Jud Com reported as follows

Mr President

Your committee on Judiciary to whom was referred S.F. 198 would respectfully report that we find that the section of the act which this bill seeks to amend was repealed at the 4th session of the State legislature. We therefore recommend that this bill do not pass.

E. M. Thomas
A. A. Abbott
L. B. Scofield

(S.F. 207)

Mr President, Your committee on judiciary to whom was referred S.F. 207 would report same back and recommend that it do pass

E. M. Thomas
A. A. Abbott
L. B. Scofield

by unanimous consent
Mr Sheldon introduced
S.F. 205, a Bill for an act to
provide for the payment of
Postage & Express Charges on
Freight by the Sea Agents for
the years 1871 & 1872
(Which was read the first
time
On motion the Rules were
suspended three fourths voting
therefor
The Bill was read a second
time on account cows
and referred to the
Committee of the whole House

9

HR 305 A Bill for an act to provide for waiving the benefits of the laws relating to exemptions and stay of Executions in certain cases

Was read a first time on motion the rules were suspended three fourths voting therefor and the Bill was read a second time and referred to the Committee of the Whole House -

HR 314 A Bill for an act to encourage, develope and promote the agricultural and horticultural resources of the soil of the State of Nebraska

Was read the first time on motion the Rules were suspended three fourths voting therefor and the Bill was read a second time on motion and Referred to the Com of Whole House

HR 310. A Bill to locate a Rail road from Enola in Lancaster County via Ulysses in Butler County and Osceola in Polk County to Lone tree Station in Merrick County

Was read the first time

On motion of Mr Dennant the Rules were suspended three fourths voting therefor

The Bill was read a second and third time ~~by title~~.

The question being shall the Bill pass?

Those voting in the affirmative were Messrs Abbott Fillon Metz Lynch Lardh Seofield Sheldon Quaker Dennant Howes and Mr President - 11 -

~~Not voting~~ Not voting no one Nay & Kenny The majority having voted in the affirmative

The Bill was passed

Mr Thomas introduced
S.F. 206 a Bill for an act to
Authorize the Director of the Law
Division of the State Library
to sell or exchange Neb=
raska reports.
Which was read the first time
on motion of ~~the~~ Mr Thomas the
Rules were suspended three
fourths voting therefor ~~and~~
the Bill was read a second
time and referred to the
Committee on Judiciary
Mr Reuter introduced
S.F. 207 A Bill for an act
to amend section 6 of an act
entitled, an act to provide
a system of Revenue approved
Feb 15. 1869
Which was read the first time
on motion of ~~the~~ Mr Thomas
the Rules were suspended
three fourths voting therefor
and the Bill was read a
second time and referred
to the Judiciary Committee

Mr Copsey introduced
S.F. 208 a Bill for an act to amend
section 403 Chapter 1 of title 14 of
the Code of Civil Procedure
which was read the first time
On motion of Mr Copsey the
Rules were Suspended then
for the second time and
the Bill was read a second
time and
Referred to the Judiciary committee

On motion H R 307 was
returned to House for Engrossing

H R 311 A Bill for an act to organize
and define the boundaries of
Fronties County
Was read a first time
On motion the rules were
suspended thereafter
the rule for the vote thereof
The bill was read a second time
and referred to the Committee
on ~~Judiciary~~ County Boundaries
and County Seats

HR 216 A Bill for an act to locate a State Road from a point on the B.&M.R.R. in Nebraska to Red Willow in Red Willow County ~~Neb.~~ was read a first time on motion the Rules were suspended three fourths voting therefor ~~and~~ the Bill was read a second time and referred to Com on Roads &c

On motion of Mr ~~Fowler~~ Cooper the Senate resolved itself into the Committee of the whole to take into Consideration Bills on their second reading Mr Cooper in the Chair After some time spent therein the Committee arose and by their Chairman reported ~~it~~ progress and asked leave to sit again

On motion the report was adopted On motion of Mr Seofield the Senate at 12 Oclock M adjourned until Monday next at two Oclock P.M

Saturday January 18th 1873

Prayer by the Chaplain

Roll Call

Present Messrs Abbott Bishop Hilton Mutz Lynch Lamb Penfield Sheldon Tucker Pennant Thomas and the President

Journal read and approved

Mr Mutz from the Committee on Finance Ways and Means submitted the following report

Mr President,

Your Committee to whom was referred S F 195 - An act to prescribe the duties of the Treasurer of Counties and other Municipal Corporations in certain cases and enforcing the performance would respectfully beg leave to report that they have had the same under consideration and would report the same back to this Honorable body with the recommendation that it do not pass

Frederick Mutz
A B Lamb
Thomas Lynch

Mr Mutz from the Committee on Finance Ways and Means submitted the following

Minority Report
Mr President

A minority of your
Committee to whome was referred S F 192
an act to abolish the office of Treasurer
of the Board of Regents of the State
University would respectfully beg leave
to report that they have had the same
under consideration and would report
the same back to this Honorable body
that it do pass

Fredrick Mutz

A Message from the House by
Mr Webster their Clerk
Mr President

I am directed to
inform your Honorable body that the
House has passed

H R 311 A Bill for an Act to or=
=ganize and define the boundries of
Fenton County

Adv

H R 314 A Bill for an act to
~~locate~~ encourage and dowlop the
Agricultural and Horticultural
resources of Arkansas

Adv

3

HR 323 A Bill for an Act to appoint a Commissioner to Compile the Laws of Nebraska

The action of your honorable body is requested

Mr Lamb from the Committee on Finance Ways and Means submitted the following majority report

We a majority of your Committee to whome was referred the bill for an Act to abolish the Office of Treasurer of State board of Regents have taken the matter under consideration and respectfully report the bill do not pass

H P Lamb
Thomas Lynch

Mr Cropsey rose to a question of privilege which was granted

Mr Scofield rose to a question of privilege which was granted

Mr Thomas moved to suspend the rules to take into consideration the Minority report of the Committee on Finance Ways and Means relative to the Treasurer of the Board of Regents of State University

Mr Tucker moved to amend by striking out the words "Minority" and insert "Majority"

Which was not agreed to

The question recurring on the original Motion

The Yeas and Nays being demanded thereon voting in the affirmative were Messrs Abbott Cropsey Metz Lynch Sheldon and Thomas — 6

Those voting in the negative were Messrs Hilton Lamb Schofield Tucker Tennant and Mr President-6

A Majority not voting in the affirmative the Motion was not agreed to

Mr Thomas from the Committee on the Judiciary submitted the following report

Mr President

Your Committee on the Judiciary to whom was referred S F 198 would respectfully report that we find that the Section of the act that this bill seeks to amend was repealed at the 4th Session of the State Legislature

We therefore recommend that the bill do not pass

E N Thomas
& A Abbott
& B Scofield

Also

Mr Pendent

From Committee on the Judiciary to whom was referred SF 205 would report back and recommend that it do pass

E N Thomas
O A Abbott
& B Scofield

By unanimous Consent Mr Sheldon introduced SF 205 — A Bill for an act to provide for the payment of postage and Express Charges on freight of the Secretary of State for the years 1871 and 1872

which was read the first time

On Motion the rules were suspended three fourths voting therefor.

The bill was read a second time and on Motion the bill was referred to a Committee of the whole House

H R 305 A Bill for an act to provide for waiving the benefits of the laws relative to exemptions and stay of Executions in certain Cases

Was read the first time

On motion the rules were suspended three fourths voting therefor

The bill was read a second time and on motion was referred to a committee of the whole house

H R 314 A Bill for an act to incorporate dealers and promulgate the Agricultural and Horticultural of the Dept of the State of Nebraska

Was read the first time

On motion the rules were suspended three fourths voting therefor

The bill was read a second time and on motion was referred to a committee of the whole house

H R 310 A Bill to Locate a State road from Lincoln in Lancaster County via Wilsons in Butler County and Osceola in Polk County to Loup Fork in Merrick County

Was read the first time

On motion of Mr Tannant the rules were suspended the

fourths voting thereof
The bill was read a second
and third time
The question being shall the bill
pass?
Then voting in the affirmative
were Messrs Abbott Hatton Metz
Lynch Lark Schild Sheldon
Tucker Tannehill Thomas and
Mr President —
Messrs Lindsey & Kennedy not voting
A Majority having voted in the
affirmative
The bill passed
Mr Thomas by unanimous consent
introduced
S F 206 A Bill for an act to authorize
the directors of the Law Division
of the State Library to sell or exchange
the Nebraska Reports
Which was read the first time
On motion the rules were suspended
three fourths voting thereof
The bill was read a second time
and referred to the committee on
the Judiciary
Mr Thomas by unanimous consent
introduced

SF 207 A Bill for an act to amend section 6 of an act entitled an act to provide a system of Revenue approved Feb 15th 1869 which was read the first time

On motion the rules were suspended three fourths voting therefor

The Bill was read a second time and referred to the committee on the Judiciary

Mr Crosby by unanimous consent introduced

SF 208 A Bill for an act to amend Sec 493 Chapter 1 Title 14 of the Code of Civil Procedure which was read the first time

On motion the rules were suspended three fourths voting therefor

The Bill was read a second time and referred to the committee on the Judiciary

On motion SR 304 was returned to the House for engrossing

SR 311 A Bill for an act to organize and define the boundaries of Fountain County

Was read the first time

On motion ~~Hunt~~ the rules were suspended three fourths voting therefor

The bill was read a second time and was referred to the committee on County boundries and County Seats

HR 316 A Bill for an act to locate a State Road from a point on the B & M. R.R. in Nebraska to Red Willow in Red Willow County

Was read the first time

On motion the rules were suspended three fourths voting therefor.

The Bill was read a second time and referred to the committee on roads

On motion of Mr Lenahan the Senate resolved itself into a Committee of the whole house to take into consideration bills on their second reading Mr Lenahan in the Chair

After some time spent therein the Committee arose and by their Chairman reported progress and asked leave to sit again

On motion the report was adopted
On motion of Mr Scofield ~~the~~
at 12 o'clock M the Senate ad=
=journed until Monday next
at 2 o'clock PM

January 15 1872

Prayer by the Chaplain

Roll Call.

Present. Messrs. McDatt, Orphey
Fellow Lynch, Larsh, Thomas
and Mr President.

Absent, Mc Kennedy Sheldon
Baker & Durant

~~Mr Sheldon and Mr asked to be~~
~~excused~~ Mr Sheldon & Mr Baker asked to be
excused ~~& Present~~

~~Which was agreed to~~

Mr Leopold presented Petition
of Ch Rankin for an appropriation
of 175 Co for Immigration purposes

~~Which was read the first~~
~~and Second time~~

Referred to the Committee on
Finance Ways & Means.

Mr Sheldon introduced
Memorial & Joint Resolution re
Taxing land of Rail Road Companies
which was read first time
On Motion the rules were suspended
the Constitutional Rule
Resolution was read a second &
third time by Title
The Question being shall the Resolution
Pass?

Those voting in the affirmative were Messrs Abbott Apsley, Metz Lynch Lapsley, Leopold Sheldon, Baker Gennant and Thomas 11-

Those voting in the negative were Messrs Hillman and Whitehead 2

The majority having voted in the ~~affirmative~~ negative the Memorial was passed.

Mr Gennant from the Committee on Roads reported as follows

Mr. President —

Your committee to whom was referred H. R. 316 a Bill for an act — to locate a State Road from a point on the B. & M. R. R. in Nebraska to Red Willow in Red Willow County would report the same back, with recommendation that it do pass.

A. W. Gennant

Chairman

3

a message from the
House by Mr Hobbs

on

4

H. R.
Jan 15

Mr President I am directed
to inform your honorable body
the House has passed
H R 327 a bill for
an act to organize James
County
also
H R 334 a bill for
an act to provide for adjusting
certain Military claims
of the State of Ill. against
the United States
The action of your
honorable body is respectfully
requested.

Clerk

5

On motion of Mr Scofield
the Senate resolved itself into
the Committee of Whole to take
into consideration Bills on their
second reading.

After some time spent therein
the Committee arose and by
their Chairman reported
as follows

the Bill with amendments and
recommendations that the same do
pass as amended.

On motion the Report was
adopted.

A message from the House
by Mr Beebe their Clerk

6

HR Jan 13

Mr President

I am directed to inform
[illegible] honorable body that the
House has passed
S J 197 a bill for an act for
the relief of Dawson County;
also
HR 835 a communi
cation & Resolution relative
to a music Robert
also
HR 836 a bill for an
act for the payment of the
officers & employees of this
Legislature

The action of
the honorable body in
respect to
Engrossed
Enrolled
Enrolled

a Message must be Acting
Governor by Com Mc Kelvie
the House Seeley

over

7

State of Nebraska,
Executive Department.

Lincoln, Jan. 15th, 187 2

To

The Honorable President of the Senate:

I am directed by his Excellency, the Governor, to inform your Honorable Body that he has this day approved and signed the following entitled acts, viz:

"An Act regulating the Public Schools of Nebraska City and to provide means for their support"

Very Respectfully, Yours,

Leo W Whitehead

Private Secretary.

To the Honorable
The President and Members of the Senate
Gentlemen.

In accordance with Sec 11 of the Executive article of the Constitution I herewith return to your honorable body in which it originated, an act entitled an "An act supplementary to an act entitled an act to provide for calling a Convention to revise alter or amend the constitution of the State of Nebraska approved March 4th 1871, to which I am constrained by my views of duty to withhold my approval and signature

In withholding my assent to the passage of this Bill I am Embarrassed by the reflection that my views are at radical variance with the deliberate judgement of a large majority of the members of your honorable body who like myself have taken upon themselves the solemn obligations of an oath to support the Constitution of the State and I have therefore availed myself of ample time for its consideration indulging the hope that I could

reconcile my views of the Constitution with those entertained by your honorable body as indicated in the passage of the Bill. I regret that after a careful consideration of its objects and provisions I am compelled to say that it is not easy for me to determine how any serious doubt could be entertained as to the Constitutionality of the measure proposed for the amendment or alteration of our Constitution for one under the title of amendments the Constitution provides that if at any time a majority of the Senate and House of Representatives shall deem it necessary to call a convention to revise or change the Constitution they shall recommend to the Electors to vote for or against a convention at the next election for members of the Legislature and if it shall appear that a majority of the Electors voting thereon have voted for a convention, the Legislature shall at its next session provide for calling such convention. Under this provision the Legislature by Joint resolution approved

Feb 15 1869 authorized and recommended an election by the electors of the State at the General Election for members of the Legislature in October 1869.

At this Election by a meager vote the proposition for a convention was adopted and in accordance with this expressed will of the people and the Constitutional provision relating to amendments the Legislature by act approved March 27 1871 and to which this act is supplementary provided for the election of members and for the convening of a convention to revise alter and amend the Constitution

Under the several provisions referred to the Convention assembled on the 13th day of June 1871 and after having completed by fifty eight days of labor the duties which devolved upon them ceased to exist as a body and by an adjournment sine die were dissolved back to the body of the people.

The result of their labor was submitted to their constituency

at an election held at the time and in the manner prescribed by the instrument and failed to meet with the approval of the people and was rejected.

Every act in the chain of Constitutional and legal requirements having been complied with every duty which devolved upon the Legislature, the Convention and the people having been discharged it would seem that if it were desirable that our Constitution should be amended, that we should again revert to fundamental law for authority and guidance

Having discharged all the duties imposed by the law under which it was convened and having ceased by adjournment sine die to exist as a constitutional convention I am unable to see where there is any authority under the Constitution or laws which would enable this Legislature to resuscitate the exhausted powers of the Convention or reinvest its individual members with their official

character. It is proposed however by the provisions of this bill without any expression of a desire on the part of the people for a convention or without allowing the people at large any voice as to who shall represent their views in the formation of a fundamental law to convene a convention and designate the persons from the body of our citizens who are to constitute its members.

This it is believed is in plain violation of the letter and spirit of the constitution, and is at variance with all our accepted views of a republican form of government.

It will not be denied that the powers possessed by this Legislature are such only as will belong to the next; yet it will scarcely be claimed that should the bill under consideration become a law and the convention should reassemble, adopt a constitution and submit it to a vote of the people and it should be rejected, that the same convention could again be legally assembled under a supplemental act.

And were such views entertained might it not become a proper subject for serious consideration as to how long it would be just to continue by legal enactment the onerous duties of those who were members of the first convention beyond the time which they no doubt reasonably expected to be relieved from their official duties- and that to without any or allowance as is proposed by this bill

This measure is urged as one of expediency and economy, but I am unable to discern anything in the existing condition of the affairs of the State to justify the dangerous expedient of a departure from the Constitutional forms and requirements And am therefore unwilling to give the measure my approval

William A. James

Executive Department
January 15 1872

Monday Jan 15 1872

Prayer by the Chaplain

Roll Call

Quorum present Messrs Abbott Beaty Butler Lynch Lash Thomas and Mr President

Absent Messrs ~~Hudson~~ Mitz Kennedy Sheldon Tucker & Tennent

Messrs Sheldon & Mitz appearing asked to be excused as present

Mr Scofield presented the petition of Col Kasten for the appropriation of ~~one~~ hundred and twenty five dollars for Immigration purposes.

Which was referred to the Committee on Finance Crops and Means

Mr Sheldon introduced Memorial to Congress relative to taxing lands of Rail Road Companies

which was read the first time

On motion the rules were suspended three fourths voting therefor

The bill was read a second and third time

The question being shall the bill Pass

Those voting in the affirmative were Messrs Abbott Beaty Mitz Lynch Lash Scofield Sheldon Tucker

Tunnant and Thomas — 11

Those voting in the negative were Barnes Dilton and Burchett — 2

A Majority having voted in the affirmative The bill passed

Mr Tunnant from the Committee on Roads submitted the following report

Mr President

Your Committee to whom was referred H R 316 A Bill for an Act to locate a State Road from a point on the B & M R R in Nebraska to Red Willow in Red Willow County would report the same back with the recommendation that it do pass

A H Tunnant

A Message from the House by Jno Webster their Assistant Secretary

Mr President

I am directed to inform your Honorable body that that the House has passed H R 329 a Bill for an act

to organize Jawns Security
Also
S & R 834 A Bill for an act
to provide for collecting
certain Military Claims of the
~~State~~ of Nebraska against the
United States

The action of your ~~body~~
honorable body is respectfully
requested

L E Leonard
Chief Clerk

On motion of Mr Scofield the
Senate resolved itself into a
Committee of the whole ~~to~~
to take into consideration Bills
on their second reading

After some time spent therein the
Committee arose and and by
their Chairman reported the Bill
with amendments with the recom-
-mendation that the same do
pass as amended

On motion the report was adopted

A Message from the House by
Mr Webster their Assistant Clerk

Mr President

I am directed by

~~Hon Speaker~~ to inform your Honorable body that the House has passed

S F 197 a Bill for an act for the relief of Dawson County

Also

S F & 35 a Memorial and Joint Resolution relative to a Mail route

Also

H R 336 a Bill for an act for the payment of the officers and employees of this Legislature

The Action of your Honorable body is requested

L E Leonard
Chief Clerk

A Message from the Acting Governor by Mr Whitehead his Secretary

State of Nebraska
Executive Department
Lincoln Jan 15th 1872

To the Honorable President of the Senate

I am directed by his Excellency the Governor to inform your Honorable Body that he has this day approved

and signed the following entitled acts viz: An act regulating the Public Schools of Nebraska-ska and to provide means for their support

Very Respectfully Yours
Geo H Whitehead-
Private Secretary

A Special Message from the acting Governor & Mr Whitehead his Private Secretary

To the Honorable
The President and members of the Senate.
Gentlemen

In accordance with Sec 14 of the Executive article of the Constitution I herewith return to your honorable body in which it originated an act entitled an act supplementary to an act entitled an act entitled an act to provide for calling a Convention to amend the Constitution of the State of Nebraska Approved March 27th 1875, to which I am constrained by my views of duty to withhold my Approval

and Signature

In withholding my assent to the passage of this Bill I am embarrassed by the reflection that my views are at radical variance with the deliberate judgement of a large majority of the members of your honorable body who like my self have taken upon themselves the solemn obligations of an oath to support the Constitution of this State and I have therefore availed my self of ample time for its consideration indulging the hope that I could reconcile my views of the constitution with those entertained by your honorable body as indicated in the passage of the Bill — I regret that after a careful consideration of its objects and its provisions I am compelled to say that it is not easy for me to determine how any serious doubt could be entertained as to the constitutionality of the Measure proposed for the amendment or alteration of our Constitution

See one reason the title of Amend-

= ments, the Constitution provides that if at any time a majority of the Senate and House of Representatives shall deem it necessary to call a convention to revise or change this Constitution they shall recommend to the electors to vote for or against a convention at the next election for members of the Legislature and if it shall appear that a majority of the ~~votes~~ electors voting thereon have voted for a convention the Legislature shall at its next session provide for calling such convention

Under this provision the Legislature by Joint Resolution approved Feb 15th 1865 authorized and recommended an election by the electors of the State & at the General Election for members of the Legislature in October 1865 at this Election by a meagre vote the proposition for a convention was adopted and in accordance with this expressed will of the

people and the constitutional
provisions relating to Amendments
the Legislature by Act Approved
March 27th 1871 and to which
this Act is supplimentary —
provided for the Election of Country
and for the Amending of a Constitu-
tion to wit Alter and Amend
the Constitution

Under the Annual provisions
refered to the Convention assem-
bled on the 13th day of June 1871
and after having completed by fifty
Eight days of labor the duties which
devolved upon them ceased to exist
as a body and by an adjournment
sine die were resolved back
to the body of the people

The result of their labors were
submitted to their constituency
At an election held at the time
and in the manner prescribed
by the instrument and failed
to meet with the Approval of the
people and was rejected

Every act in the Chain of
Constitutional and legal
requirements having been complied

with every duty which devolved upon the Legislature the convention and the people having fun discharged it would seem that if it were desirable that our constitution should be amended that we should again resort to fundamental law for authority and guidance having discharged all the duties enjoined by the laws under which it was convened and having ceased by adjournment sine die to exist as a Constitutional Convention I am unable to see where there is any authority under the Constitution or laws which would enable this Legislature to resuscitate the extinguished powers of the convention or restore its individual members with their official Character

It is proposed by the provisions of this Bill without any expression on the part of the people for a Convention or without allowing the people at large any voice as to who shall constitute those who are in the formation of a

fundamental law to convene a convention and designate the persons from the body of our citizens who are to constitute its members

This it is believed is no plain violation of the letter and spirit of the Constitution and is at variance with all our accepted views of a republican form of government

It will not be denied that the powers possessed by the Legislature are such only as will belong to the next. Yet it will scarcely be claimed that should the bill under consideration become a law and the convention reassemble adopt a constitution and submit it to a vote of the people and it should be rejected that the same convention could again be legally assembled under a supplemental act And were such convention framed might it not become a subject for serious consideration as to how long it would be just to continue by legal enactment

The various duties of those who were members of the first convention beyond the time in which they ~~were~~ no doubt reasonably expected to be released from their official duties and that too— without pay or allowance as is provided by this bill

This measure is urged as one of expediency and economy but I am unable to discern any thing in the existing condition of the affairs of the State to justify the dangerous precedent of a departure from the Constitutional forms and requirements and am therefore unwilling to give the measure my approval

William A Jones

Executive Department

January 15 1872

On motion of Mr Hascall the Message was made a special order for this morning at 11 oclock

On motion of Mr Lamb at 3 25 oclock PM took a recess until 7 oclock this morning

After Recess

Roll Call

Present Messrs Abbott
Keighley Hilton Mitz Lynch
Marsh Scofield Sheldon
Tucker Tennant Thomas
and the President

Absent Mr Kennedy

The House proceeded
to the consideration of the
Special order

On motion of Mr Tucker
the further consideration of
the Special order was postponed
until tomorrow morning at
10 o'clock

On motion of Mr Tennant
at 7 20 o'clock PM the House
adjourned till tomorrow
morning at 10 o'clock

Tuesday Jan 16 1872

Prayer by the Chaplain

Roll Call

Present Messrs Abbott Crokey
Hilton Metz Lynch Lynch
Seofield Sheldon Tucker Tennant
Thomas and Mr President

Absent Mr Kennedy.

Journal read and approved

2

Mr Allen from the committee on Enrolled and Enrolled Bills reported as follow

Mon President

The Joint Committee on Enrolled and Engrossed Bills having examined, find correctly enrolled the following bills

An act to provide for an appropriation for the payment of the erection of the temporary Insane Asylum

An act for the relief of Lawson County,

And ask the Signature of the President of the Senate—

By Holton, Chm

Which the Speaker signed the same,

Mr Dumont from the committee
on Counties & County seats
reported as follows

Hon. President—

Your Committee to
whom was referred H.R. 811
An act to organize and
define the boundaries of
Frontier Co. Would report—
the same back without—
amendment & recommend
its passage

A.W. Dumont

On motion of Mr Lonfield the
Report was adopted
And on motion the Rules were suspended
three fourths voting therefor.
The Bill was read a third time
The Question being shall the Bill pass?
Shall voting in the affirmative were
Messrs Abbott, Dorsey Fetterman
Lynch, Parks Lonfield Sheldon

Mr Tucker Durant Thomas
And Mr President — I
~~Mr Tucker~~ ~~not voting~~ in the negative
Absent ~~not voting~~ one. Mr Tucker
The majority having voted in the affirmative
the Bill was passed.
Mr Metz from the committee on Finance
Ways & Means reported as follows.

Mr President

Your Committee
to whom was referred a Petition
of C. N. Thorsteins, asking relief
at the hands of this Legislature,
would respectfully beg leave to report
that they have had the same under
consideration and would report the
same back to this honorable body
with the recommendation to grant
the request of said Petition.

Frederick Metz
A. B. Lunt
Thomas Simon

The time having arrived for the consideration of the Special order

Mr Dennant moved that the consideration of the Special order relative to the Governors veto be postponed until 3 o'clock to day

Which was agreed to

On Motion of Mr Abbott the Resolution relative to the Seat occupied by Mr Dillon was taken up.

Mr Canfield moved that the Resolution be Indefinitely Postponed

The Ayes and Nays being demanded thereon in the affirmative were Messrs. Dillon, Metz, Lynch Larock Canfield Stoker, Dennant, and Mr President -

Those voting in the negative were Messrs Abbott Cropsey, Sheldon, & Thomas. 4

The majority having voted in the affirmative this Resolution was indefinitely postponed

A Message from the House by Webster a Clerk,

6

House Roll

Mr President—

I am directed ~~by the House~~ to inform your honorable the the House has passed

S F 193 a bill for an act to provide for vesting the title to certain state lands

also

H R 204 An act defining the Boundaries of Red Willow County

also / H R 342 a Bill for an act to amend amend sec 1 of an act. Making Appropriation to pay Militia Claims

I am also to inform your honorable body Signed

[signature]

Also S F 209 - Memorial & Joint Resolution relative to taxation Land owned by R R Cos also H R 333 Memorial & Joint Resolution Relative to Swamp lands. Also H R 337 a Bill for an act - requiring the County Commissioners of Saline County to pay over certain moneys to Adams County

Mr Abbott called up the Concurrent Resolution relative to adjournment
Mr Baker moved to post pone the Consideration of the Resolution until to morrow
Mr Thomas demanded the ays & nays thereon which in the affirmative were Messrs Allen Booth Brookfield, Baker, Dennant and mr President 6-
Those voting in the negative were Messrs Abbott, Cropsey, Metz, Lynch Sheldon, and Thomas 6-
A majority ~~of the~~ not voting in the affirmative the motion ~~prevailed~~ was not agreed to by unanimous consent
Mr Dennant introduced S.F. 209 A Bill for an act to provide for the care and custody of the Capital Building and grounds and for the payment of a Janitor
Which was read the first time on motion the Rules were suspended three fourths voting therefor and the Bill was read a second time and referred to the ~~Judiciary~~ Committee on Finance ways & means

On motion of Mr Sheldon Leave
was granted for consideration of
HR 327 A Bill for an act to
define the boundaries and to
provide for the organization of
Dome County
Which was read the first time
On motion of Mr Ducker the Rules
were suspended three fourths voting
therefor and the Bill was read
a second time
Mr Sheldon moved that the Rules
be suspended and the Bill
be read a third time
Which was not agreed to.
On motion HR 323 A Bill for an
act to provide for the appointment
of a Commissioner to revise and
compile the Laws of the State and
to define his duties in Connection
therewith
Was read the first time
On motion the Rules were suspended
three fourths voting therefor.
And the Bill was read a second time
And referred to the committee on
the Judiciary
HR 312. A Bill for an Act to extend
the time for the payment of interest
on notes given for the purchase

of School Lands
was read the first time
On motion the Rules were suspended
three fourths voting thereto
And the Bill was read the second and
third time
The question being shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott Hillen Metz Lynch
Lasch, Penfield Tucker, Denman
Thomas and Mr President, 9—
Those voting in the negative were
Messrs Conway & Sheldon 2.
The majority having voted in the affirmative
The Bill was passed
On motion of Mr Tucker
A Resolution & Bill for an act providing
for the appointment of receivers in
certain Cases
Was read the first time
On motion the Rules were suspended
three fourths voting thereto and
the Bill was read a second and
third time
The question being shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott Conway Hillen Metz
Lynch Lasch Penfield Sheldon, Tucker
Thomas and Mr President 11

Now voting the negative
The Bill was passed

Mr Allen from the Committee on
Engrossed and Enrolled Bills
reported as follows.

Mr President

The Joint Committee
on Enrolled and Engrossed
Bill ask leave to report, that
they did this day at the hour of
half past Eleven O'clock A.M.
present to the acting Governor
for his signature the following
Bills An act to provide
for an appropriation for the ~~[illegible]~~ payment
of the erection of the temporary Insane
Asylum

An act for the relief
of Dawson County

B. F. Allen Chm

H R 337 a Bill for an act requiring the County Commissioners of Sabine County to pay over certain moneys to Adams County

Was read the first time

On motion the Rules were suspended three fourths voting therefore and the Bill was read a second time and referred to the Committee on Finance Ways and Means —

Motion of Mr Tucker the Senate at 12 M took a Recess until 2 O'clock P.M.

After Recess

Roll call
Present Messrs. Abbatt, Cropsey
Hilton, Metz, Lynch Lanich, Seaford
Sheldon Tucker Demarest Hinman
and Mr President-
Absent mon Kennedy.

Mr Hilton from the Committee
on Engrossed and Enrolled
Bills reported as follows.

Mon President

The Committee on
Enrolled ones Engrossed bills
ask leave to report. as correctly
engrossed the following bill
" S # 183 An act defining the
boundries of Certain Counties and
~~the Legislature~~ the Counties
Comprising the Same "
~~and ask the Signature to~~
the Same

B. A. Hilton Chm

13

A message from the acting Governor by Wm Whitehead his Private Secretary

State of Nebraska,

Executive Department.

Lincoln, Jan. 16th, 1872

To

The Honorable President of the Senate:

I am directed by his Excellency, the acting Governor, to inform your Honorable Body that he has this day approved and signed the following entitled acts, viz.:

"An act for the relief of Dawson County."

Very Respectfully, Yours,

Wm. W. Whitehead

Private Secretary.

Mr Abbott moved to recommit S.F. 183 A Bill for an act defining the Boundaries of certain Counties and describing the territory comprising the same

which was not agreed to

A motion the Rules were suspended three fourths voting therefor and the Bill was read a third time the question being shall the Bill pass? Those voting in the affirmative were Messrs Dr Gray Skillin Mc Lynch Kinsch Longfield Tucker Durant Thomas and Mr President - 10 - Mr Abbott and Mr Sheldon voting in the negative - 2 -

The majority having voted in the affirmative the Bill was passed.

and sent to

Mr Hussey from the Judiciary Committee reported as Freeport

over

15

To the Senate of the State of Nebraska

Your Committee to whom was referred S.F. 208 for an act to amend Sec 493. Chapter 1. of Title 14. of the Code of Civil Procedure Return the same & the Senate and recommend that it do pass.

January 16 1879.

E. M. Bartlett
H. B. Scofield
Committee

Also

To the Senate of the State of Nebraska,

Your Committee to whom was referred S.F. 205 entitled an act to appoint a commissioner to prepare a criminal code for this State respectfully report that they return the bill to the Senate without Recommendation

January 16. 1879

E. M. Bartlett
H. B. Scofield
Judiciary Com

16

Mr Abbott from Judiciary Committee reported as follows

Mr President-

Your committee to whom was referred S.F. 323. "An act to provide for the appointment of a Commissioner to revise and compile the Laws of the State and to define his duties in connection therewith"
Also- S.F. 206- "An act to authorize the directors of the State Library to sell or exchange the Nebraska Reports-

Respectfully Report that they have examined the same & recommend that they do pass-

Geo Abbott
G. B. Scofield.

On motion the Rules were suspended three fourths voting therefor and S.B. 208 a Bill for an act to amend Section 4923 Chapter 1 of Title 14 of the Code of Civil Procedure was read the third time The question being shall Bill pass? Those voting in the affirmative were Messrs Abbott Crosby Dillon Lynch Lorch Scofield Sheldon Tucker Tennant Thomas & Mr President 10- Those voting in the negative The Bill was passed.

On motion the Rules were suspended three fourths voting therefor and H.R. 323 a Bill for an act to provide for the appointment of a Commissioner to revise & compile the laws of the State and to define his duties in connection therewith, was read the third time The question being shall the Bill pass Those voting in the affirmative were Messrs Abbott Crosby Lorch Scofield Sheldon Tucker Tennant Thomas & Mr President & Mr Dillon and Mr Lynch voting in the Negative

A Majority having voted in the affirmative The Bill was passed.

On motion the Rules were suspended three fourths voting therefor and S.B. 216. A Bill for an act to authorize the Director of the Law Division of the State Library to sell or exchange the N.J. Law Reports was the read the third time the question being shall the Bill pass? Those voting in the affirmative were Messrs Abbott Cropsey Fellon Lynch Marsh Redfield Sheldon Ticker Dennant Thomas and Mr President 11-
No one voting in the negative the Bill was passed
On motion the Rules were suspended three fourths voting therefore and A.R. 34 a Bill for an act to amend Section One of an act entitled An act Making appropriations to pay Militia Claims
Was read the first, second and third time
The question being shall the Bill pass?
Those voting in the affirmative were Messrs Abbott Cropsey Fellon Metz Lynch Marsh Redfield Sheldon Ticker Dennant Thomas and Mr President - 11
No one voting in the negative the Bill was passed

On motion the Rules were suspended three fourths voting therefor and H R 318. A Bill for an act locating State road from Lewis Fork to Lake Fork

~~to~~ Bay was read the first and second time and referred to the committee on Roads.

H R 336. A Bill for an act to pay the officers and employes of the Legislature

Was read the first time On motion the Rules were suspended three fourths voting therefor and the Bill was read a second and third time.

The question being shall the Bill pass? Those voting in the affirmative were Messrs Abbott Crosby Fellin Nute Lynch Lorch Lofield Sheldon Baker Thomas & Mr President 11 — Those voting in the negative were None The Bill was passed.

Mr Timms by leave introduced
S. 210 A Bill to prescribe the
limitation for actions brought to recover
the title in possession of Real Estate
which was read the first time
on motion the Rules were suspended
three weeks working thereon ~~Said~~
the Bill was read a second time
and referred to the Committee on
Judiciary.
On motion of Mr Decker the Senate
resolved itself into the committee of
the whole House to take into
consideration Bills on their second
reading Mr Pollock in the Chair
reading ; After sometime spent
therein the committee arose and
by their Chairman reported ~~that~~
the committee have had under consideration
HR 305 A Bill for an act to provide
for the wairing the benefits of the
Law relating to exemptions and
stay of Executions in certain cases
~~And that they report the Bill~~
with ~~back~~ amendment and recommend
its passage as amended.

Also.
S.F. 205. A Bill for an act to provide for the payment of Postage and Express Charges and Freight of the Secretary of State for the Year 1871 and 1872,

without amendments and with recommendation that it do pass -

On motion the Report adopted -

On motion the Rules were suspended ~~and the Senate took a recess~~ and H.R. 305 A Bill for an act to provide for waiving the benefits of the law relating to exemptions and stay of executions in certain cases was read a third time

The question being shall the Bill pass?

Those voting in the affirmative were Messrs Abbott Arppey Metz Lynch Lash, Scofield Tucker Seaman Thomas and Mr President - 10 -

Mr Sheldon voting in the negative!

The majority having voted in the affirmative the Bill was passed

On motion the Rules were suspended ~~the months voting thereon~~ and S.F. 205 A Bill for an act to provide for the payment of Postage and Express Charges and Freight by Secretary of State for the year 1871 & 1872

Was read the third time The question being Shall the Bill pass?

Those voting in the affirmative were Messrs Abbott Arpsey Metz Lynch Lasch Scofield Sheldon Tucker & Tennant — 9

Those voting in the negative were Messrs Thomas and Mr President — 2

The majority having voted in the affirmative the Bill was passed

The Hour having arrived for the consideration of the Special order

A Motion of Mr Scofield the Special Order relative to the bills of the Governor was postponed until 2 o'clock P.M.

Mr Sheldon from the committee on Engrossed and Enrolled Bills reported as follows

Over

Mr President:

The Joint Committee on Enrolled and Engrossed bills report that have examined and find correctly enrolled the following bills and the signature of the President to the same

An act to organize and define the boundries of Frontier County.

Also

An act to locate a State Road from Juniata in Kenesaw County, via Aylesea, in Butler County, and Osceola, the County Seat of Polk County to Lone Tree Station in Merrick County

Also

Preamble and Resolution to Congress in relation to the Niagara Ship Canal

Also

Preamble and Resolution in relation to the improvement of the Wisconsin and Fox rivers and of the foot of Lake ~~Superior~~ Superior

Also

An act to authorize the County Commissioners of

bonds or other Certificates of
indebtedness to pay interest
on Rail Road Bonds

B F Hilliard Clerk

Subsequently Mr Hilliard from the same committee reported
that the Joint committee on Enrolled and Engrossed Bills Had
this day at 4 o'clock PM Present to the same to the
acting Governor for his signature

And Motion of Mr Decker the Senate
at 4 o'clock PM took a Recess
until 7 o'clock this evening.

Evening Session

Roll Call,
Present Messrs Abbott, Conway, Hillen
Metz, Lynch, Lanek, Penfield & Sheldon
Tucker Stewart Thomas & Mr President.
Absent and Excused
On motion of Mr Penfield the Senate
resolved itself into the Committee of
the whole House to take into Consideration
H R 314 a Bill for an act to encourage
develope and promulgate the Agricultural
and Horticultural resources of the State
of the State of Nebraska.
Also
S F 199 a Bill for an act to encourage
the development of the Coal deposits
of the State of Nebraska.
Also
S F 179 a Bill for an act [illegible] aid in
discovering and mining coal
and Authorizing Cities & Counties
to [illegible] bonds therefor
after some time spent therein
the Committee arose and by
their Chairman reported as
follows

25

Mr President

The Committee of whole House having had under Consideration H.R. 314 A Bill for an act to Encourage development and Systematize the Agricultural, and Horticultural resources of the Soil of the State of Nebraska and report the same back with Recommendation that the same do Pass and

Also The Bills

S.F. 199 A Bill for an act to encourage the development of the Coal deposits of the State of Nebraska ~~and report the same back with Amendments . . and that the same do Pass as Amended.~~

~~Also~~ and

S.F. 174 A Bill for an act to aid in discovering and mining Coal and authorizing Cities & Counties to bond therefor.

Report ~~the back with Amendments and recommend the same do pass as Amended~~ Progress and asked Leave to Set again

J Sherman

26

A message from the House
by Mr Webster asst clerk—

Over

27

H.R. July 16/872

Mr Pinchon-

I am pleased to inform you that the House has passed H.R. 3[illegible] (300) - a Bill for an act to provide for the development of the Salmon interest of the State of Oregon -

and I am about to present the same to the

Yours truly

J. Watson

Asst-Com HR

On motion the Rules were suspended ~~that fourth reading & vote thereof~~
and
HR Bill A Bill for an Act to encourage develope and promulgate the Agricultural and Horticultural resources of the 4th tier of the State of Nebraska
Was read the third time
The question being on the passage of the Bill
Those voting in the affirmative were Messrs Abbott Crosby Hilton Mek, Lynch, Lacey Penfield Sheldon Tucker Dennant Thomas and Mr President 12.
No one having voted in the negative the
Bill ~~was~~ passed.
The President announced that hour fixed by the Consideration of the Special Order had arrived when
On motion of Mr Tucker the Senate at ~~at~~ 8 P Oclock adjourned until 10 Oclock AM—

Tuesday Jany 16th 1872

Prayer by the Chaplain

Roll Call

Present Messrs Abbott Crofoot Hilton Mutz Lynch Lamb Seefeld Sheldon Spicker, Tennant Thomas and Mr President

Absent Mr Kennedy

Journal read and approved

Mr Stilson from the Committee on Engrossed and Enrolled Bills submitted the following report

Mr President

Your joint Committee on Enrolled and Engrossed Bills having examined find correctly enrolled the following bills

An Act to provide for the appropriation for the payment of the erection of the temporary Insane Asylum

An act for the relief of Dawson County

And ask the signature of the President of the Senate

When the President signed the Same

Mr Tennant from the Committee on County boundaries and County Seats submitted the following report

Mr President

Your Committee to whome was referred H.F. 311 An act to regulate and define the boundaries of Frontier County would the same back without amendment and recommend its passage

Mr Tennant

On motion of Mr Scofield the Report was adopted

On motion the rules were suspended three fourths voting thereof

The bill was read a third time

The question being Shall the bill pass?

Then voting in the affirmative were Messrs Abbott Asbury Atkins Metz Lynch Lamb Scofield Sheldon Tuckwiller Tennant & Thomas and Mr President ——— 12

Those voting in the negative Absent Mr Kennedy

A majority having voted

in the affirmative
the bill passed
Mr Metz from the Committee
on Finance Ways and Means
submitted the following report
Mr President

Your Committee
to whom was referred a Petition
of L & N Karstens asking relief at
the hands of this Legislature would respectfully
beg leave to report that they have
had the same under consideration
and would report the same back
to this honorable body with the
recommendation to grant
the request of said Petition

Frederick Metz
A B Lang
Thomas Lynch

The time having arrived for the
Consideration of the Special order
Mr Tennant moved the Consid-
=eration of the Special order relative
to the Governors Veto be postponed
until 3 o'clock P.M.

Which was agreed to

On Motion of Mr Abbott the
Resolution relative to the Seat

occupied by Mr Stilton was
taken up.

Mr Scofield moved the Resolution
be Indefinitely postponed

The Ayes and Noes being demanded
there voting in the affirmative
were Messrs Hilton Duty Lynch
Lamb Scofield Tucker Dennett
and Mr President ——— 8

Those voting in the negative were
Messrs Abbott Copsey Sheldon
and Thomas ——— 4

A majority having voted in the
affirmative the Resolution was
indefinitely postponed

A Message from the House
by Mr Webster their Assistant
Clerk

Mr President

I am directed by
the House of Representatives to inform your Honorable body
that the House has passed
S. No 193 An Act for an act to
provide for amending the title
to certain State Lands
also
H.R. 304 An Act defining the

5

Brundrett of Red Mill
Annuity
Adv
H B 342 A Bill for an
act to amend Section 1 of an
act making appropriation
to pay Military Claims
Adv
S F 209 Municipal and
Joint Resolution relative to
taxing lands owned by Rail
Road Companies
Adv H B 333 Municipal
and Joint Resolution relative
to Swamp lands
Adv
H B 337 A bill for an act
requiring the County Commis-
sioners of Dallas County to pay
over certain moneys to Adams
County

The action of upon Journable
body is requested

L E Murphy
Chief Clerk

Mr Abbott ~~Stated~~ asked for the consid-
eration of Concurrent Resolution

relation to Adjournment
Mr Tucker moved to postpone
the consideration of the resolution
until tomorrow
Mr Thomas demanded the
Yeas and Nays
Those voting in the affirmative
were Messrs Hilton Lamb Schofield
Tucker Tennent and Mr Speaker — 6
Those voting in the negative were
Messrs Abbott Lemley Mutz Lynch
Sheldon and Thomas —— 6
A majority not voting in the affirmative
the motion was not agreed to
Mr Tennent by unanimous
consent introduced
SF 209 A Bill for an act to
provide for the care and custody
of the Capitol building and grounds
and for the payment of a janitor
which was read the first time
On motion the rules were
suspended three fourths voting
therefor
The bill was read a second time
and referred to the Committee
on Finance Ways and Means
~~On motion of~~ Mr Sheldon asked

asked for the consideration
of H R 327 A Bill for an Act
to define the boundaries and
to provide for the organization
of James County
Which was read the first time
On motion of Mr Tucker
the rules were suspended three
fourths voting thereon
The bill was read a second
time
Mr Sheldon moved to suspend
the rules for a third reading
which was not agreed to
On motion H R 323 A bill for
an act to provide for the appoint
=ment of a commissioner
to revise and compile the Laws
of the State and to define the
duties connected therewith
was read the first time
On motion the rules were
suspended three fourths voting
thereon
The bill was read a second time
and referred to the committee
on the Judiciary
H R 312 A bill for an act

to extend the time for the payment of interest on notes given for the purchase of school lands

Was read the first time

On motion the rules were suspended three fourths voting there for

The bill was read a second and third time

The question being shall the bill pass?

Those voting in the affirmative were Messrs Abbott Allen Duty Lynch Lamb Schofield Tucker Tennant Thomas and Mr President — 10

Those voting in the negative were Messrs Cosby Buell Sheldon — 3

A majority having voted in the affirmative the bill passed

On motion of Mr Tucker H B 206 A Bill for an act providing for the appointment of viewers in certain cases

Was read the first time

on motion the rules were
suspended three fourths
voting therefor
The bill was read a second
and third time
The question being shall
the bill pass
Those voting in the affirma-
tive were Messrs Abbott
Asbury Britton Mitchell Lynch
Marsh Scofield Sheldon
Tucker Thomas and Mr
President ——— 11
No one voting in the negative
The bill passed
Mr Britton from the Committee
on Engrossed and Enrolled
bills submitted the following
report
Mr President
The joint
Committee on Engrossed
and Enrolled bills ask
leave to report that they did
this day at the hour of half
past Eleven o'clock A.M.
present to the Acting Governor
for his signature the

following bills An Act
for the Appropriation for the
Payment of the erection
of the Sunbeam Museum
Dayton

An Act for the relief of
Darwin Lemmon

S B I Station Chm
H R 887 A bill for an act
requiring the County Commis-
=sioners of Salem County &
Hayworth Carlin Attorney of
Adams County

Was read the first time
On motion the rules were
suspended three fourths
voting thereon

The bill was read a second
time and refused to
the Committee on Finance
Ways and Means

On motion of Mr Tucker
at 12 o'clock M the Senate
took a recess until 2 o'clock
PM

After Recess

Roll Call

Present Messrs Abbott Cropsey Hilton Mutz Lynch Lamb Scofield Sheldon Tucker Tunnicliff and Mr President

Absent Mr Kennedy

Mr Hilton from the Committee on Engrossed and Enrolled Bills submitted the following report

Mr President

Your Committee on Engrossed and Enrolled bills asked leave to report as correctly engrossed the following bill

S F 18 B. an Act defining the boundries of certain Counties and describing the boundries Comprising the same

B F Hilton

Chm

A message from the Acting Governor by Mr Whitehead his Private Secretary

State of Nebraska

Executive Department

Lincoln Jan 16th 1872

To The Honorable President of the Senate

I am directed by his Excellency

the Acting Governor & inform your Honorable Body that he has this day approved, and signed the following entitled acts viz:

An Act for the relief of Dawson County

Very Respectfully yours
Leo W Whitehead
Private Secretary

Mr Abbott moved to recommit S F 183 a Bill for an act defining the boundries of certain counties and discontinuing the territory composing the same

which was not agreed to

On motion the rules were suspended three fourths voting therefor

The bill was read a third time the question being shall the bill pass

Those voting in the affirmative were Messrs Croft Hilton Mutz Linch Lash Scofield Scofield Tucker Tennant Thomas and Mr President

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18

Those voting in the negative were Messrs Abbott and Sheldon — 2

A Majority having voted in

the affirmation the bill passed
the Senate from the Committee
on the Judiciary submitted the
following report
To the Senate of the State of
Nebraska

Your Committee to whom
was referred S F 208 for an
act to amend Sec 493
Chapter 1 of Title 14 of the Code
of Civil Procedure return
the same to the Senate
and recommend that
it do pass

E N Jones
by B Sofield
Chr Abbott

Adv

Your Committee to whom
was referred S F 208 entitled
an act to submit a Commission
to prepare a Criminal Code
for this State respectfully report
that they return the bill to the
Senate without recommenda-
-tion

E N Jones
Chr Abbott
B Sofield

14

1

Mr Abbott from the committee
on the Judiciary submitted
the following report
Mr President
Your committee
to whom was referred S 323
an act to provide for the appoint=
ment of a commissioner to
revise and compile the Laws
of the State and to define his duties
in connection therewith
also
S 326 An act to authorize
the directors of the Law division
of the State Library to sell next=
& change the Nebraska Reports
respectfully report that
they have examined the
same and recommend
that they do pass
O A Abbott
by B Barfield

On motion the rules were
suspended three fourths voting
therefor
S 328 A bill for an act
to amend Sec 493 Chapter

1 of Title 14 of the code of Civil Procedure

was read the third time

The question being shall the bill pass

Thereon voting in the affirmative were Messrs Abbott Cotton Hilton Linck Lamb Scofield Sheldon Tucker Tennant Thomas and The President — 10

And on voting in the negative The bill passed

On Motion the rules were suspended then Senate voting thereon

H.B. 823 An Bill for an act to provide for the appointment of a Commissioner to revise and compile the laws of the State and to define the duties in connection therewith,

was read the third time

The question being shall the bill pass

Then voting in the affirmative were Messrs Abbott Cotton Lamb Scofield Sheldon Tucker Tennant Thomas and The President — 9

16

1

Those voting in the negative were Meeks Stilton and Lynch

2

A majority having voted in the affirmative the bill passed

On motion the rules were suspended three fourths voting therefor

S F 256 A bill for an act to authorize the duties of the Law Division of the State Library to sell or exchange the Nebraska Reports

was read the third time The question being shall the bill pass those voting in the affirmative were Messrs Abbott Asper Stilton Lynch Lamb Lofgren Sheldon Tucker Tunnard and Mr President 11

No one voting in the negative the bill passed

On motion the rules were suspended three fourths voting therefor

H R 342 A bill for an act to amend section one of an act entitled an act making appropriations

to pay Militia Claims
was read the first second
and third time
The question being shall the
bill pass
Then voting in the affirmative
were Messrs Abbott Cropsey Hatton
Metz Lueck Lamb Scofield Sheldon
Tucker Tennant Thomas and
Mr President ——— 12
So was voting in the negative
The bill passed
On motion the rules were suspended
then fourths voting thereon
HR 318 A bill for an act locating
a State Road from Lewisburg
to State Line
Was read the first and second
time and referred to the committee
on Roads
HR 836 a bill for an act
to pay the officers and employ
-ees of the Legislature
Was read the first time
on motion the rules were suspend-
-ed then fourths voting thereon
the bill was read a second
and third time

The question being shall the
bill pass
Those voting in the
affirmative were messrs
Abbott Coffin Atkins Beaty
Leach Lamb Lofchild Sheldon
Tucker Thomas and McQuesten 11
Those voting in the negative
The bill passed
Mr Thomas then introduced
S.F. 210 a bill to prescribe the
limitation for action to recover
the title or possession of Real Estate
which was read the first time.
On motion the rules were suspended
three fourths voting therefor,
the said Bill was read a second time,
and referred to the Committee on
Judiciary.
On Motion of Mr Tucker the ~~House~~
Senate resolved itself into
a Committee of the whole
to take into consideration bills
on their second reading Mr Lofchild
in the Chair
After some time spent therein
the Committee arose and by the
Chairman reported the

the Committee have had under consideration
H R 303 a bill for an act to provide for the restoring the benefits of the law relating to exemptions and stay of executions in certain cases with amendments and recommend its passage as amended
Also
H F 205 A bill for an act to provide for the payment of Postage and Express charges and freight of the Secretary of State for the Year 1871 & 1872
Without Amendment and with the recommendation that it do pass
On motion the report was adopted
On motion the rules were suspended and H R 300 A bill for an act to provide for restoring the benefits of the law relating to exemptions and stay of executions in certain cases
was read a third time
The question being shall the

Bill pass!
Those voting in the affirmative were Messrs Abbott Cropsey Mutz Luce Lamb Scofield Tucker Durant Thomas and Mr President ——— 10

Mr Sheldon voting in the negative. ——— 1

A Majority having voted in the affirmation the bill passed

On Motion the rules were suspended and

S. 205 A bill for an act to provide for the payment of Portage and express charges and freight of the Secretary of State for the year 1871 & 1872

Was read the first time

The question being shall the bill pass

Those voting in the affirmative were Messrs Abbott Cropsey Mutz Luce Lamb Scofield Sheldon Tucker and Thomas 9

Those voting in the negative were Messrs Thomas and Mr President —— 2

A majority having voted
in the affirmative the bill passed
The House having assented to
the consideration of the Special
order

On motion of Mr Penfield the
Special order relative to the duties
of the Acting Governor was
postponed until 8 o clock this
evening

Mr Stetson from the committee
on Engrossed and Enrolled
bills submitted the following
report

Mr President

The Committee
on Engrossed and Enrolled
bills report that they have examined
and find correctly enrolled the
following bills and ask the
signature of the President to
the same

An act to organize and
define the Boundaries of Stanton
County

Also

An act to locate a State
Road from Lincoln in Lincoln

22

County Via Illinois in Putten
County and Ogden the County
Seat of Polk County to Lowville
Station in Marinette County

Also

Preamble and Resolution
& Memorial in relation to
Niagara Ship Canal

Also

Preamble and Resolution in
relation to the improvement of
the Wisconsin and Fox Rivers and
at the Portage of Lake Superior

Also

An Act to authorize the
County Commissioners
of Washington County to issue
Bonds or other certificates of
indebtedness & pay interest on
Rail Road Bonds

Subsequently On Motion from the
Same Committee reported that
that the Joint Committee on Enrolled
Bills had this day at 4 o'clock
[redacted] presented the Same to
the Acting Governor for his Approval

B. S. Holton
Chief

on motion of Sen Tucker the
at 4 o'clock P.M. the Senate took
a recess until 7 o'clock this
Evening

Evening Session

Roll Call

Present Senators Abbott Aspey
Hilton Metz Lueck Lund Scofield
Sheldon Tucker Vincent Thomas
and The President —

Absent Sen Kennedy

On motion of Sen Scofield the
Senate resolved itself into a
Committee of the whole to
take into consideration HR 314
a bill for an act to encourage
development and promulgate the
Agricultural and Horticultural
resources of the part of the
State of Nebraska

Also

LF 199 a Bill for an act
to encourage the development
of the coal deposits of the State
of Nebraska

Also

SF177 a bill for an act
to aid in discovering and
mining coal and authorizing
Cities and Counties to issue bonds
therefor

After Committee Chairman
Thurman the committee arose
and by Chairman Appro-
ted as follows

Mr Pandenk

The committee of the
whole house having had under
consideration S.F. 317 a Bill
for an act to encourage
dwarfs and Premmud gate the
Agricultural and Horticultural
resources of the Soil of the
State of Nebraska

Report the same with the
recommendation that it
do pass

Also the Bills

SF177 a bill for an act to
aid in discovering and mining
Coal and authorizing Cities and
Counties to vote bonds therefor

Also

SF199 a bill for an act

to encourage the development
of the Coal deposits of the
State of Nebraska
Report progress and ask
leave to sit again

A Message from the
House by Mr Nobles their
assistant Clerk

Mr President

I am directed to
inform your honorable body that
the House has passed
S.F.R 300 a bill for an act
to provide for the development
of the Saline interest of the
State of Nebraska
And am directed to ask
the Concurrence of your honorable
body

J.R. Nobles
Asst Clerk

On motion the rules were suspended
H.R. 314 A bill for an act
to develop and promulgate the
Agricultural and Horticultural
resources of the state of the

State of Nebraska
was read a third time
the question being shall
the bill pass
Then voting in the affirma-
tive were Messrs Abbott
Asheny Stilton Metz Lynch
Lamb Schofield Sheldon
Tucker Wigman Thomas
and the President — 12
No one voting in the
negative
The bill passed
The President announced
the hour fixed for the Consideration
of the Special Order had arrived
when
On motion of Mr Tucker
at 8½ o'clock P.M. the Senate
adjourned until 10 o'clock
Thursday morning

Wednesday Jan 17 '877

Prayer by the Chaplain.

Roll Call

Journal & Messrs Abbott, Copley, Hilton, Metz, Lynch, Lamb, Schofield, Sheldon, Tucker, Tunnard, Thomas and Mr President.

A Quorum Present.

Journal read & approved.

A message from the House by Mr Nichols their Assistant Clerk.

Mr President.

I am directed to inform Your Honorable body that the House has passed the following Bills. S.F. 185 Joint Resolution and memorial for the establishment of a new Land District within the State of Nebraska

8

with amendment=
also.

H. R. 1154 a Bill for an act declaring certain lines, public roads and highways in Johnson precinct in Saline county.
also.

H. R. 1208 a Bill for an act to amend section 184 of chapter LII of the code of civil procedure.
also.

H. R. 1055. a Bill for an act to repeal an act to encourage the growth of timber and fruits tree. in which I am directed to ask the concurrence of Jour Honorable body.

J. B. Webster
asst Sec.

The President announced that
the House insisted on the
Special Order on the consid-
eration of "An Bill for an
act supplementary to an
act entitled an act to
provide for calling a
convention to revise, alter
& amend the Constitution
of the State of Nebraska
approved March 27 1871 together
with the message of the
acting Governor returning
it to the body in which
it originated with his
objections" had arrived.
The Senate proceeded in
pursuance of the Constitution
to reconsider the same and
after such reconsideration
the question being
shall the Bill pass notwith-
standing the objections of the
Executive.
The yeas & nays being called
there voting in the affirma-
tive were Messrs Cobey, Hitch
Lynch Lauck. Schofield & Tucker.

Lennan D. D. for Precedent &
those voting in the negative
were heard after the
Sheldon & Thomas. 4
The President announced
that the Chair declared
motion for Reconsideration
which has had.
Mr Scofield moved &
duly the resolution &
Committee on accounts &
Expenditures.
Mr Sheldon moved & amend
by referring & Committee on
Finance. Ways & means
which not adopted &
Mr Metz moved & amend
by referring & Committee on
Highways. Bridges & Ferries

which was agreed to.
The question occurring in the motion as amended it was
agreed to.

Mr Cooper presented the petition of John Brown and 16 others for the enactment of the Ohio Criminal Procedure which was referred to the Committee on the Judiciary.
also,
The Petition of Jas Irvin Brown and others relative to the adoption of the Ohio Criminal Code, which was referred to the Committee on the Judiciary.
Mr Metz from the committee on Finance, Ways & Means submitted the following report.
Mr President.
Your committee to whom was referred S Bill No 9 an act to provide for the Care and Custody of the Capitol building and ground

and for the payment of
a Janitor, moved respectfully
by leave & report. That they
have had the same under
consideration and moved upon
the same back & their
Honorable body. with the
recommendation that it
do pass.

Frederick Metz.
F. B. Lauk.
Thomas Linck.

Mr Metz from the same
committee also submitted
the following report.

Mr President

Your committee
to whom has referred H. R
337 a Bill for an act
requiring the County Com-
missioners of Adams County
to pay unto certain moneys
to Adams County moved
respectfully leave & report
that they have had the
same under consideration
and moved upon & the same

7

back to the Senate bill, with recommendation.

Frederick Metz.
A. B. Lauck.
Thomas Finch.

Mr Thomas from the Committee on the Judiciary submitted the following Report.

Mr President.

The Committee on Judiciary to whom was referred S. F. 211 amended report the same back with recommendation that the same do pass with the following amendment. & recommend the adoption of Section 1 add the following.

"And provided further that this act shall not deprive infants, married women, and persons laboring under other disabilities, of such protection and other rights

as they may now be entitled
& under Existing laws."

C. H. Thomas
O. A. Abbott
L. B. Scofield

On motion of Mr Abbott the
Convention of Resolution relative
to adjournment was taken
up, and read the second
time.

Mr Thomas moved to strike
out "Jan 19" and insert
"Jan 18th"

Which was not agreed to.

The question recurring on the
adoption of the Resolution.

It was not agreed to.

On Motion Moved to
amend take a Recess until
2 o'clock P.M. which has
not agreed to. ~~by unanimous~~
agreed.

On motion by unanimous
consent introduced S. F.
No 11 A Bill for an act
to provide Special Judges.

and Journ't delaye in
the administration of
Justice which has led
the first time

Mr Cosgrey by unanimous
consent introduced a Bill
& entitled An act
to authorize Isaac Cohn
& Wm Dickinson & construct
mill-dam across Blue River,
which was read the first time

Mr Cosgrey moved that the
Senate resolve itself into
a Committee of the Whole
House & take up the Con-
sideration Bills relating
to Coal. Mr Thomas
in the Chair. The ayes
and nays being demanded
those voting in the
affirmative were Messrs
Abbott. Cosgrey. Metz. Pinch
Sheldon & Thomas -
those voting in the negative
were Messrs Hilton, Lusk,
Patrick. Tucker & Truman A.

The President put the question
a majority having voted
in the affirmative the
motion was agreed to
and the Senate resolved
itself into the Committee
of the whole House to
take into consideration
Bills relating to the Gaol
situated in the State, with
Mr Thomas in the chair
After some time spent
therein the Committee rose
and by their Chairman
reported progress and
asked leave to sit again
On motion of Mr Cooper
the Senate at 12 o'clock
M. this a Recess till
2 o'clock P. M.

After Recess

Roll-Call.

Present & Messrs Atherton, Copsey, Hilton, Metz, Quick, Lack, Penfield, Sheldon, Tucker, Truman L. Thomas and the President - when Mr Kennedy

Mr Penfield moved to take up H. R. 211 - A Bill for an act to aid in the development & the schools interests of the State of Nebraska.

Mr Copsey moved an amendment & to refer with the committee of the whole Senate & consider

H. F. 176. A Bill for an act to provide for selling the Salines lands and to distribute the salt situated & the State" — which was adopted and

Mr Copsey moved an a further amendment & to refer with the committee of the whole Senate & consider

S. F. 174. a Bill for an act to legalize the action of Legislature of Utah. which was not agreed to.
Mr Copley moved as a substitute Amendment "to put the Committee of the whole House to consider H. R. 5116 for an act to create a State and for admission of the State of Utah in the U. S. in act & Red Willow in Red Willow County. which has not agreed to.
Mr Copley moved as a further amendment "to put the Committee of the whole House to take into consideration
S. F. 175 a Bill for an act to limit the Legislature, and prevent political corruption which was not agreed to.
Mr Scofield moved to strike out the enacting clause, the question being, shall the main question not

be just a majority voting in the affirmative. It was so resolved. And the question being shall H. R 9111 as with the amendments of the Senate be agreed to. It was agreed to. And the bill has passed.

A message from the House by Mr Pickett their assistant clerk.

Mr President

I am directed to inform your Honorable Body that the House has concurred in the Senate amendments to H. R 9111 a Bill to provide for the raising of the revenue & for the laws relating to the collection and enforcement, in certain cases, also that the House

has passed the following bills,
H. R. 824 a Bill for an act
to amend section fourteen
of chapter seventeen of the
revised statutes of the State
of Nebraska,
also
H. R. 855 - a Bill for an
act to authorize the City
of Bellevue to issue Bonds
and for other purposes,
in which I am directed
to ask the concurrence of
your Honorable body.

J. B. Hutton,
Assistant Clerk.

H. R. 814 a Bill for an act
to define the Boundaries of
Red Willow County and pro-
vide for its organization,
was read the first time
by title of the same
and third time, the question
shall the Bill pass.

Those Hung in the affirmative
Mess Mum Cheney, Hilton,
Metz, Linch, Pank, Schfield (1)
Sheldon, Jackey Sumner,
and Thomas — 11 —
Absent Mess Abbott, Kennedy,
& the President a majority
having voted in the affirmative
the Bill passed —
On motion of Mr Sheldon the
Senate resolved itself into the
Committee of the whole House.
with Mr Thomas in the chair
& take into consideration
H. R 327 a Bill for an act &
define the boundaries and &
provide for the organization of
James County. After some
time spent therein the com-
mittee arose and by their
chairman reported Progress
and asked leave & set again.
A message from the House
by Mr Hatch their assistant
clerk.
Mr President,
I am directed & inform
You Senate body that the

Amendment
H. R 331 an act to promote
immigration to the State of Nebraska.
H. R 83 an act to amend
Section 661 of title 19 entitled
Juris of the Revised Statutes.
ales.
S. F. 118 A Bill for an act to
provide payment of the licenses
of the Secretary of State Department,
the action of Jim Hammerle
body is requested.
J. R. Webster.
asst Clk.
Mr Hilton from the committee
on Enrolled Bills submitted
the following report.
Mr President
The joint committee
on Enrolled & Engrossed bills
report the following Enrol-
led bills correctly enrolled and ask
the signature of the President
& the same.
An act to provide for the pay-
ment of the Officers and
Employees of the Legislature—
ales —

An act, relating to the appointment of Reporters in certain cases, also.

An act to amend Section one of an act entitled "An act making appropriations to pay Militia claims approved March 28th 1871" also.

An act to encourage, and to promulgate the Agricultural and Horticultural resources of the soil of the State of Nebraska — also.

An act, to extend the time for the payment of interest on notes given for the purchase of School lands, also.

An act to provide for the appointment of a Commissioner to revise and compile the laws of the State and to define his duties in connection therewith.

B. F. Hilton Chair-
man the Committee signed the

Subsequently the Hills from the same committee reported back they presented the said bills to the Acting Governor for his approval at 4 o'clock P. M.

On motion of Mr Lucken at 4:40 P. M. the Senate adjourned until 10 o'clock A. M. ——

Thursday Jan 18 1872

Prayer by the Chaplain.

Roll Call.

Present Messrs Abbott Crosby Allen
Metz Lynch Sarah Leopold Shelton
Tucker Tennant Thomas & Mr President.

Absent Mr Kennedy.

Journal read and Approved

A message from the House

by Mr Webster, their Clerk

~~House Rep~~

~~Jan 18 1894~~

Mr President

I am directed to inform you honorable body the House has passed

H R 313 An Act to provide for the Sale of Certain School Lands in Fillmore County

Also

H R 317 An Act Giving the County Commissions of Hamilton County to transfer certain funds

Also

H R 321 A Bill for an act to amend an act ~~to~~ entitled an act to provide for the funding of the warrants of Otoe County

Also

H.R. 308 An Act declaring certain public roads in Richardson County

by Section of Journal of both is required

3

~~House Rep, Jan 19~~

~~Mr Bradbury~~ Mr Speaker, I am directed to inform your honorable body the House has passed & printed Mrs Shook Engr'd Bill & ask your honorable body to concur with a like Com on the part of the Senate relative to adjournment

The action of your honorable body is requested

J. R. Thurston
Asst Clk H R

Mr Collier from the Committee on Engrossed and Enrolled Bills ~~to whom was referred~~ submitted the following report

same

4

Mon President

The Committee on Engrossed and Enrolled bills respectfully report the following bill correctly enrolled and ask the Signature of the President.

An Act to provide for recording the States title to certain lands,

Memorial to Congress relative to Taxing Land owned by Railroad Companies.

An Act to provide for the payment of Postage and Express Charges and Freight of the Secretary of State for the year 1871 & 1872—

B. F. Gilliam | Chm

when the President signed the same—

5

Mr Thomas moved that a committee of three be appointed to act with a like committee from the House to take into consideration the resolution disagreeing votes of the two Houses relative to adjournment.

which was agreed to - and the President appointed as such Committee on the part of the Senate Messrs Thomas. Scofield & Linck

the minutes of said committee

Mr Scofield moved to consider the message from the House relative to the Amendments to S.F. 55. Joint Resolution, and memorial for the establishment of a new Land District

which was agreed to

~~The question being shall the Senate concur in the amendments proposed by the House to Bill~~ in the ~~House as amended by the Senate.~~

The amendments were ~~taken up~~, agreed to -

~~Mr Mack moved that the Senate resolve itself into~~ a ~~Committee of the whole House to take into consideration Bills on their second reading.~~

~~Motion was not agreed to~~

~~Mr Mack moved that the Senate resolve~~

3

On motion of Mr Metz the Senate
resolved itself into the Committee
of the Whole House & took the bill
into consideration.
S. F. 82 A Bill for an act for the
distribution of certain School Moneys
belonging to the County of Douglas.
After some time spent therein
the Committee arose and by
its Chairman reported
the Bill with the recommendation
that the same do pass.
On motion the Report was adopted
and on motion the Rule was suspended
three fourths voting therefor. and
the Bill was read a third time
The question being shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott, Dorsey Metz Lynch
Lorah Seafield Sheldon Tucker Tennant
Numa and Mr President — 11
Those voting Messrs Hilton & Kennedy — 2
a majority having voted in the affirmative
the Bill was passed

Mr. [illegible] from the Committee on Agriculture ~~reported as follows~~ submitted the following report

Mr President.

Your committee - to whom was referred S 7 188 - An act to amend Sec 10 of an act for a General Herd Law By law to report the same back with a recommendation that it be referred to the committee of the whole House —

Geo P. Tucker-

Laurence - Chittenden

(Tennant)

Mr Tennant from the Committee on Roads ~~reported as follows~~ submitted the following report

(over)

Mr President —

Your committee to whom was referred H.R. 318 a Bill for an act to Locate State Road from Laufford to State Line would report the same back with amendments & recommend its passage

H. W. Dimmett

Mr Simms from the Committee on the Judiciary ~~reported as follows~~ submitted the following report

Mr President

Your committee on
judiciary to whom was referred S. F. 201
and also S. F. 213 report respect-
fully report that they have had the
said bills under consideration and
report the same back to the senate
the recommendation that they do not
pass -

E. A. Thomas
G. B. Scofield,

Mr Asay moved the following Resolution
Be it resolved by the Senate of the
State of Nebraska the House concurring
that the State Board of immigration
be requested and are hereby requested
to act in harmony with the Rail
Road of the State in securing
immigration -
which was read the first time

Mr Cropsey moved the Rules be suspended and the Resolution read a second time ~~and be adopted~~

Mr Hellin moved to amend that the further Consideration of the Resolution be postponed until tomorrow at 2 o'clock P.M.

~~Mr Sheldon moved~~

Which was agreed to -

Mr Sheldon moved to amend the Amendment by inserting to day in place of to morrow

Which was not agreed to -

Mr Cropsey moved to amend by striking out "2 o'clock" to morrow and inserting "20 minutes past 11 o'clock to day"

Which was not agreed to -

Mr Sheldon moved to take a Recess until 2 o'clock P.M.

Which was not agreed to -

The question recurring on the original motion as amended

Was agreed to -

Mr Pascall by Unanimous Consent
introduced
S.F. 223 A Bill for an act to
encourage the Construction of a
bridge across Platte River at or
near the old town site of Platford
in Dorpy County

Which was read the first time
Mr Cropsey moved to suspend the Rules
for the introduction of Bills
During the discussion had on the motion
Mr Felton called Mr Pascall to the Chair
The acting President pro tem
Leland the
Gentleman in order
Mr Felton appealed from the decision
of the Chair Thereupon Geny Chas Thorburn
the Chair stands as the sense of the House
The yeas and nays being demanded
Were ordered in the affirmative
Those voting in the affirmative were
Messrs Abbott Cropsey Metz
Sheldon & Mr President — 5 —
Those voting in the negative were
Messrs Felton Lynch, Lorch, Scofield
Tucker & Dennant — 6 —
A majority having voted in the
negative the Chair was not
sustained — not considered the sense of the
House
Mr Cropsey moved that the Senate
take a Recess until 2 o'clock PM
Which was not agreed to —

H R 313 a Bill for an act & hereto for the sale of certain Lands in Fillmore County

was read the first time -

H R 317 a Bill for an act to enable the County Commissioners of Hamilton County to transfer Five Thousand Dollars from the road fund to the Building Fund

was read the first time

H R 321 A Bill for an act to amend an act entitled an act to provide for the funding of warrants of this County and to issue bonds for other purposes

was read the first time

Mr Dorsey moved that the Senate take a Recess until 2 o'clock P.M.

The ayes and nays being demanded Those voting in the affirmative were Messrs Abbott Dorsey Metz Sheldon Thomas and Mr President 6

Those voting in the negative were Messrs Allen Lynch Marsh Penfield Tucker and Tennant 6

& the ~~Not~~ Majority ~~being~~ voting in the ~~negative~~ affirmative the Motion was not agreed to -

H R 355 A Bill for an Act to Authorize the City of Bellevue to issue Bonds and for other purposes
was read the first time
Mr Metz moved to suspend the Rules for the second reading of the Bill
which was not agreed to -
Mr Metz moved that the Senate take a Recess until 2 o'clock P M
which was not agreed to -
H R 358 A Bill for an Act declaring Section lines & the Roads Roads in the county of Red willow
was read the first time -
Mr Dorsey moved that the Senate take a Recess until 2 1/2 o'clock P M
The ayes & nays being demanded
those voting in the affirmative were
Messrs Abbott Dorsey Metz
Sheldon, Thomas and the President 6
Those voting in the negative were
Messrs Allen Lynch Lorh Scofield
Tucker & Dennant - 6
& the Majority ~~Abbott~~ Not voted in the
the negative affirmative the
motion was not agreed to -

Mr Dorsey moved that the Senate resolve itself into a Committee of the whole House to take into consideration Bills on their second reading —

Which was not agreed to

On motion of Mr Dorsey the Senate at 12 ½ o'clock P.M. took a Recess until 3 o'clock P.M.

After Recess

All the Members

Messrs. Abbott Dorsey Hall

Metz Nyman Lynch Sappington

Sheldon Stinnett Thomas and

Mr President

Absent Mr Tucker.

On motion of Mr Dorsey

The Senate at 5 o'clock P.M.

adjourned until 4 o'clock

to-morrow afternoon.

Thursday, Jan 18. 1872

Prayer by the Chaplain

Roll call

Present. Messrs. Abbott, Cooley, Hilborn, Mich: Lynch, Lasch, Seyfield C. Sheldon, Locke, Limmer, F. Thomas and The President

Absent. Mr Kennedy

Journal read and approved

A message from the House

by Mr Webster their Assistant Clerk.

Mr President

I am directed to inform your Honorable Body, the House has passed

H. R. 313 An act to provide for the sale of certain school lands in Hillsboro County.

Also

H. R. 317 An act Enabling the County Commissioners of Hamilton County to transfer certain funds

2

Also
H. R. 321. A Bill for an act
to amend an act
entitled an act to provide
for the funding of the warrants
of Otoe County.
Also
H. R. 366. An act
declaring certain lines public
roads in Richardson County.

The action of your Honorable
body is requested

I am also directed
to inform your Honorable body
the House has appointed Messrs
Shook. Conger. and Daily to confer
with a like Committee on the
part of the Senate relative
to adjournment.

The action of your
Honorable body is requested.

J. R. Webster
Assistant Clerk

Mr Hilton from the Committee on Engrossed and Enrolled Bills submitted the following report.

Mr President

The Committee on Engrossed and Enrolled Bills report the following bill correctly enrolled and ask the signature of the President.

An Act to provide for recording the States title to certain lands.

Memorial to Congress relative to taxing Land owned by Railroad Companies

An act to provide for the payment of Postage and Express Charges and freight - of the Secretary of State for the year 1871 and 1872

B. F. Hilton. Chm

When the President signed the same -

Mr Thomas moved that a Committee of three be appointed to act with a like Committee on the part of the House to take into consideration

The diagreeing votes of the two Houses relative to adjournment.

Which was agreed to- and the President appointed on the part of the Senate Messrs. Thomas Penfield and Linck as members of said committee

Mr Penfield moved to consider the message from the House relative to the Amendments to S. F. 165: Joint resolution and memorial for the establishment of a new Land District-

Which was agreed to-

The question being shall the Senate concur in the Amendments proposed by the House. The amendments were agreed to-

On motion of Mr Wells: the Senate resolved itself into the Committee of the whole House to take into Consideration

S. F. 162, A Bill for an act for the distribution of certain school moneys belonging to the County of Douglas after considering report thereon the Committee arose and by its Chairman reported

The Bill with the recommendation
that the same do pass
On motion the Report was adopted
And on motion the Rules were suspended
three fourths voting therefor
The bill was read a third time
The question being shall the Bill pass?
Those voting in the affirmative were
Messrs Abbott. Copsey. Hatch. Lucke
Larsh. Seofield. Sheldon. Tucker.
Inman. Thomas and the President
Messrs Holton and Kennedy not voting
a majority having voted in the
affirmative. the Bill was passed
Mr Abbott from the Committee on
Agriculture. presented the following
report.

Mr President

Your Committee to whom
was referred S.F. 186- An act
to amend Sec 10 of an act
for a general Herd Law
By leave to report the same with a
recommendation that it be referred
to the Committee of the whole House

Geo P. Tucker
Larsen Sheldon
C. R. Abbott

Mr Lemaux from the Committee on Roads submitted the following report

Mr President

Your Committee to whom was referred H. R. 316 An Act to locate State Road from Snipe Fork to State Line would report the same back with amendment and recommend its passage

C. M. Lemaux

Mr Thomas from the Committee on Judiciary submitted the following report.

Mr President.

Your committee on Judiciary to whom has referred S. F. 101 and also S. F. 103 would respectfully report that they have had the said bills under consideration and report the same back with the recommendation that they do not pass.

C. M. Thomas

G. B. Setzler

Mr Copsey offered the following Resolution. Which is seconded by the Senate of the State of Nebraska. Ste Amer Concurring that the State Board of Immigration be requested and are hereby requested to act in harmony with the Rail-Road & the State in securing Immigration; which was read the first time.

Mr Copsey moved the Rules be suspended and the Resolution read a second time.

Mr Holden moved to amend the further consideration of the Resolution be postponed until 2 o'clock P. M. — which has agreed to.

Mr Sheldon moved to amend the amendment by inserting 4 days, in place of 2 — motion which has not agreed to.

Mr Copsey moved to amend by striking out 2 o'clock P. M. and inserting " 10 minutes past 11 o'clock 4 days which has not agreed to.

Mr Sheldon moved to take a Recess until 2 o'clock P.M. Which was not agreed to. The question occurring on the original motion as amended, which was agreed to.

Mr Hascall by unanimous consent introduced

S. F. No 13. A Bill for an act to encourage the construction of a bridge across Platte River at or near the old town site of Plattsford in Dawson County. Which was read the first time. Mr Copsey moved to suspend the Rules for the introduction of a Bill.

During the discussion had on the motion Mr Hilton called Mr Hascall to order. The President pro-tem declared the gentleman in order. Mr Hilton appealed from the decision of the chair. The question being, Shall the decision of the Chair stand as the Law of the House. The yeas and nays being demanded Those voting in the affirmative

Mess Messrs Abbott, Copsey, Metz, Sheldon & Van Pelt - 5.
Those voting in the negative
were Messrs Hilton, Linck, Lasch
Redfield, Sucher, & Tennant - 6,
A majority having voted in
the negative the decision of
the Chair was not considered
the sense of the house.
On motion moved that
the Senate take a recess
until 2 o'clock P. M, which
was not agreed to.
H. R 913 A Bill for an act
to provide for the sale of
certain Lands in Fillmore
County. was read the first time.
H. R 917 A Bill for an act
to enable the County Commission-
ers of Hamilton County to transfer
five thousand dollars from
the Road fund to the Building
Fund, was read the first time,
H. R 921 A Bill for an act
to amend an act entitled
An act to provide for the
funding of warrants of Otoe
county and of civil funds

On motion Resolved, that we
do now adjourn.
On motion moved that we
adjourn take a Recess until
2 o'clock P. M. —
The ayes and nays being de-
manded there voting in
the affirmative were
Messrs. Abbott, Ordway, Metz,
Sheldon, Shmak, and Mr
President 6
Those voting in the negative
were Messrs Hilton, Linch,
Lark, Schield, Ducker, and
Lennard 6 —
So majority. Not voting in
the affirmative the motion
was not agreed to.
H. R 856. A Bill for an act
to authorize the City of
Bellevue to issue Bonds
and for other purposes
was read the first time,
On motion moved to suspend
the Rules for the second
reading of the Bill —
which was not agreed to,

Mr Metz moved that the Senate take a recess until 1 o'clock P. M.-

which was adopted &,

H. R. 858. a Bill for an act declaring certain lines & or Public Roads in the County of Red-Willow.

was read the first time,

Mr Coffey moved that the Senate take a recess until 1½ o'clock P. M.,

The ayes and nays being demanded there voting in the affirmative were Messrs Metz, Sheldon Thomas and Mr President

& - Those voting in the negative were Messrs Welton Leich, Canfield, Lauch, Lucken and Leonard &-

A majority not voting in the affirmative the motion was not agreed &,

Mr Coffey moved that the Senate Resolve itself into a committee of the whole House & take into consideration Bill

on this second reading which has not agreed to. On motion of Mr Copsey, the senate at 12½ o clock P. M. took a recess until 8" clock P. M.

After Recess

Roll-Call —

Present, Messrs Abbott, Copsey, Hilton, Metz, Quick, Rauk, Redfield, Sheldon, Tennant, Thomas and Mr President.

Absent Mr Tucker.

On motion of Mr Copsey the senate adjourned until 4" clock P. M. - noon afternoon.

Friday Jan 19. 1872

Prayer by the Chaplain.

Roll Call.

Present Messrs Abbott Conway
Dillon Metz Lynch Lorch Seafield
Shelton Tucker Tennant Thomas
and Mr President

Absent Mr Kennedy.

Journal read and approved.

A message from the House by
Mr Webber asst Clerk

over

2

Jan 18 1897

Mr President

I am directed to inform your honorable body that the House has passed H.R. 362 an act declaring certain days legal holidays

also

H.R. 363 an act authorizing the refunding of certain sums to Arck Co.

also

H.R. 864 an act ~~declaring~~ defining the boundaries between Merrick & Polk Co.

To each of these your honorable body is requested.

John Tobin
Asst Clerk

also

H.R. 303 a bill for an act levying a special tax for the purpose of completing the State Reformatory

H R January 19 1872

Mr President

I am directed to inform your Honorable Body that the House has passed the following bills

S.F. a Bill for an act to regulate the Jurisdiction of the probate court also

S.F. 75 Memorial and Joint Res with amendment
relative to Horse Chestnuts, also
S.F. 208 an act to amend Sec 493 Chapter 1 of title 12 of the Code of civil procedure also H.R. 340 a Bill for an act to amend section 619 title 4 of the Code of civil procedure of the revision Statutes of Nebraska also
H.R. 353 Entitled an act to prevent the Sale of the Saline lands also
H.R. 361 a Bill for an act to amend an act entitled Mechanics Liens — also
H.R. 362 a Bill for an act for the Relief of Saline County also

4

Also

H.R. 328 A bill for an act to provide for an Agricultural Farm

also

H.R. 343 a memorial and joint Relative to a Mail Route.

Also

H.R. H.R. 365 A bill for an act declaring certain lines public roads in Dawson Co.

also

H.R. 366 A bill for an act declaring certain lines public Roads in Dawson Co. The return of same with the Governor's approval

H. E. Gaffney
Chief Clerk

5

Message from the Committee on Enrolled and Engrossed Bills reported as follows

Mr President

The Committee on Engrossed and Enrolled bills, reports the following House bills correctly enrolled and ask the Signature of the President to the Same

An act to provide for waiving the benifits of the law relating to executions and stay of executions in certain Cases

Also

An act defining the boundaries of Red Willow County and provide for its organization

B F Gillis Chr

When the President signed the Same

Also

Mr President

The Joint Committee on Engrossed and Enrolled bills report that they did this day at the hour of ~~Eleven~~ half past Eleven O'Clock A.M. present to the acting Governor for his approval the following bills

An Act entitled "An Act to provide for recording the titles to Certain Lands"

Also

An act to provide for the payment of postage, Express Charges and freight of the Secretary of State for the years 1871 & 1872

B. F. Hilliard } Ch

Mr Lynch from Select committee reported a Resolve.

Mr President. The Committee appointed by the House and Senate relative to adjournment have Conferred together and agreed to adjourn Sine die Jan 24 1877 at 11 PM.

Thomas Lynch
G D Leavitt
Com on part of Senate

L B Gale
J R Singer
Com on part of House

Mr Leavitt moved the Rule be suspended and the Report adopted

The ayes and nays being demanded those voting in the affirmative were Messrs Allen Lynch Lords Leavitt Tucker & Durrant — 6

Those voting in the negative were Messrs Abbott Cropley Mr. Sheldon Thomas and Mr President 6

Majority not having voted in the affirmative the Rules were not suspended.

Bills of the following titles were
read the first time

S.F. - A Bill to provide for the
appointment of a nightwatch =
men for the Capitol Building and
for the payment of the same.

Also
H.R. 325 Memorial and Joint Resolution
relative to a mail Route

Also
H.R. 308 A Bill for an act defining
Section Lines Public Roads and
Highways in Johnson Otoe Nemaha
Pawnee County

Also
H.R. 357 A Bill for an act to
repeal an act to encourage
the growth of Timber and fruit Trees

Also
H.R. 339 A Bill for an act to amend
Section Six Hundred and Sixty of Title
Nineteen entitled "Juries" of the
Code of Civil Procedure of the
Revised Statutes of the State of
Nebraska.

Also
H.R. 363.
Memorial and Joint Resolution
Relative to Swamp Lands

Also

H R 338 A Bill for an act to amend section 124 of Chapter 2 of the code of Civil Procedure

also

H R 334 A Bill for an act for the Collection of certain Military Claims of the State of Nebraska against the United States and for the disposition of the funds derived therefrom when collected.

also

H R 301 A Bill for an act in relation to Grasshoppers and Weeds

also

H R 324 A Bill for an act to amend section fourteen Entitled County Clerk of Chapter 19 of the Revised Statutes of Nebraska

also

H R 361 A Bill for an act for the relief of Saline County

also

H R 363 A Bill for an act declaring Section lines public roads in Frontier County

also

H R 353 A Bill for an act Entitled an act to prevent the sale of Saline Lands of Neb and the unsold lots and Blocks in the City of Lincoln

also

H R 361 a Bill for an act declaring certain days legal holidays

Also

H R 340 a Bill for an act to amend section Sixty one of title four of the Code of Civil Procedure of the Revised Statute of the State of Neb-

Also

H R 366 a Bill to an act declaring section lines public roads in Dawson County

Also

H R 363 a Bill for an act to provide for levying a special tax for the purpose of completing the State Penitentiary building

Also

H R 348 a Bill for an act to provide for an agricultural College farm

Also

H R 343 Memorial and Joint Resolution relative to a mail route from Fort Kearney via Arrapahoe to Red Willow.

Also

H R 361 a Bill for an act to amend an act entitled Mechanics Lien

Also

H R 331 a Bill for an act to promote Immigration to the State of Nebraska

Also

H R 363 a Bill for an act to authorize the Auditor to draw his warrant on the State Treasurer for $61 25/100 in favor of the Treasurer of Polk County

also

H R 364 a Bill to define the boundary line between Merrick County and the Counties of Polk and Hamilton

Mr Cropsey moved the Rules be suspended ~~to take up and consider~~ in the second Reading of H R 363, a Bill for an act to provide immigration to the State of Nebraska

Ayes and Nays being demanded & ordered in the negative were Messrs Abbott Cropsey Metz Sheldon Shuma, Mr Woodcock not voting the negatives were Messrs Allen Lynch, Lansing Loofield Jacker Demaree—6

A majority not having voted in the affirmative — the motion was not agreed —

Mr Cropsey moved to take a Recess until 7 o'clock P M. which was not agreed to.

Mr Cropsey moved that the Senate resolve itself into the Committee of the whole House to consider Bills on their second reading which was not agreed to—

Bills of the following titles were
read a second time and referred -
S.F. 212 A Bill for an act to authorize
Isaac Casteel and Wm Dickens to
construct Mill Dam across Blue
River
Ref to Committee on Road + Bridges &c
also
S.F. 211 A Bill for an act to provide
Special Judges &c to prevent delays
in the administration of Justice -
Ref to Judiciary Committee
also
H.R 300 A Bill for an act to aid
in the development of the Saline
interest of the State of Nebraska
~~was read a second time and~~
~~referred to the Committee~~
Mr Dickey moved that the Bill be
referred to the Committee on Enrolled
and Engrossed Bills
The Ayes and Nays being demanded
there voting in the affirmative were
Messrs Gillin Lynch Lash Redfield
Baker Dennant — 6
Those voting in the negative were
Messrs Abbott Cropsey Metz Sheldon
Timme & Mr President — 6
A majority not having voted in
the affirmative
The motion was lost.

Mr Tucker moved to refer the Bill to the committee on Finance Ways & Means
Which was agreed to —
Mr Cropsey moved to Suspend the Rule to read H R 331 a Bill for an act to promote Immigration into the State of Nebraska a second time
Which was not agreed to
Mr Gillin moved to adjourn until 9 o'clock A M tomorrow morning
Yeas and Nays being demanded those voting in the affirmative were Messrs Gillin Lynch Leroh Seofield Tucker & Dennant 6 —
Those voting in the negative were Messrs Abbott Cropsey Metz Sheldon Thomas & Mr President 6
A majority not having voted in the affirmative. The motion was lost
Mr Cropsey moved that H R 331 a Bill for an act to promote Immigration to the State of Nebraska be made a Special order after 8 o'clock this evening
Mr Seofield moved to amend by striking out 8 o'clock this evening and inserting 11 o'clock tomorrow morning
The ayes and nays being demanded those voting in the affirmative were Messrs Gillin. Lynch Leroh Seofield Tucker & Dennant — 6

Those voting in the negative were Messrs Abbott Cropsey Mutz Sheldon Thomas & Mr President 6

Against not having voted in the affirmative

The Amendment was not agreed to — The question reverting on the original motion and

The Ayes & Nays being demanded Those voting in the affirmative were Messrs Abbott Cropsey Mutz Sheldon. Thomas & Mr President. 6

Those voting in the negative were Messrs Hilton Lynch, Lorsch Seefeldt Tucker Demant - 6 —

No majority having in the affirmative The motion was not agreed to — Mr Abbott moved to adjourn until 10 Oclock A.M.

Which was not agreed to —

~~The Reading of Bills on their second reading was resumed —~~

on request of Bills on their second reading was resumed —

HR 358 a Bill for an act declaring Section lines to be Public Roads in the County of Redwillow

Ref to Committee on Roads

Also

HR 359 A Bill for an act to authorize the City of Bellevue to issue Bonds and for other purposes

Ref to Committee on Finance W & Means

Also

S J 213 A Bill for an act to encourage the construction of a Bridge across the Platte River at or near Woodtown into Platford in Dorpy County
Ref to Com on Road & Bridges
and
H R 316 a Bill for an act to provide for the sale of certain School Lands in Dickinson County
Ref to Com on State Lands
and
H R 321 a Bill for an act to amend an act entitled an act to provide for the funding of the warrant debt of this County and to issue bonds for the purposes
Ref to Jud Committee
and
H R 317 a Bill for an act to enable the County Commissioners of Hamilton County to construct Five Thousand dollars worth of Toll Road Scrip & the Building fund
Ref to the Jud Committee
Mr Sheldon moved that the Senate resolve itself into the committee of the whole House to take into consideration the James County Bill -
Which was not agreed to -

Mr Tucker moved to adjourn
until 10 o'clock Am.
Ayes and Nays being demanded
there voting in the affirmative
were Messrs Hilton, Lynch, Larsh
Seofield Tucker & Dumont 6 -
Those voting in the negative were
Messrs Abbott Cropsey Mel-
Seldon Thomas & Mr President 6
a majority not having voted in the
affirmative the motion was lost -
Mr Cropsey moved that the
Senate resolve itself into the
Committee of the whole House
to take into consideration
H R 331 A Bill for an act to
promote Immigration in to
the State of Neb
Ayes & Nays being demanded.
There voting in the affirmative
were Messrs Abbott Cropsey
Mel Shelton Thomas Mr President 6
Those voting in the negative were
Messrs Hilton Lynch Larsh
Seofield Tucker & Dumont 6
a majority not having voted in
the affirmative the motion was
not agreed to -
Mr Tucker moved to adjourn
until 9 o'clock Am -
The yeas and Nays being
demanded - Those voting

in the affirmative were Messrs
Allen, Lynch, Darsh Scofield Tucker
and Dennant 6
Those voting in the ~~affirmative~~ negative were
Messrs Abbot Cropsey Metz Sheldon
Thomas and Mr President 6 —
No majority having voted in the
affirmative
The motion was not agreed to —
Mr ~~Scofield~~ Sheldon moved a call of the
House — which was agreed to
Present — Messrs Abbot Cropsey Allen
Metz Lynch Darsh Scofield Sheldon
Tucker Dennant Thomas Mr President —

Mr Sheldon moved that further
proceedings under the call of
the House be dispensed with —

which was not agreed to —

at 6 ho Clock AM January 1877
Mr Thomas moved to a Recess until
8 Clock AM -

The President declared ~~Amended~~ That the
Motion was agreed to - And the
Senate took a Recess until 8 Clock
AM

8 o clock Jan 20th 1872

After Recess

Mr Sheldon moved that the Senate adjourn until the 31st day of December next

Mr Scofield called the gentleman to order —

That a motion to adjourn was not in order during the pendency of a Call of the House

"The President decided the motion was in order"

Mr Scofield appealed from the decision of the Chair

The Lieutenant Governor then put the question "Shall the decision of the Chair stand as the decision of the Senate"

Which voting in the affirmative were Messrs Abbott Crofoot Mutz Sheldon Tinnas and the President — 6

Then voting in the negative were Messrs Allen Leach Lamb Scofield Tucker and Truax — 6

The President declared the decision of the Chair was the decision of the House

The question recurring on the Motion of Mr Sheldon

The President declared the motion carried and the Senate adjourned until December 31st 1872

and Messrs Boreman Abbott Knapp Muf
fuldun & Thomas and the president
left the Senate Chamber

The following question to wit
Messrs Hitin Lynch Lamb Seofield
Tucker and Tuant severally declared
they voted against the Motion to adjourn
and that the decision of the President was not correct
in as much as [illegible] did not vote therefor

Mr Seofield declared that he "demanded
a division of the question which was not
granted"

Mr Tuant declared he "called for the
Yeas & Nays" ~~which was~~

Thereupon Mr Tucker moved the
Secretary ~~of the Senate~~ act as temporary
Chairman of the Senate

Mr Tucker moved the Secretary ~~of the~~
~~Senate~~ communicate the proceedings of
the Senate to the Governor which was agreed to
The Governor returned and said the Senate's communica-
tion of the proceedings ~~and~~ was as follows
~~[illegible]~~

~~[illegible]~~

On motion of Mr
Ordered the Sergeant at arms be
dispatched for absentees

Mr Kennedy appearing at the hour
of the ~~Hour~~ Senate
on motion Mr Jacker all further
proceedings under the Call of the
House was dispensed with.

The Case of the Roll being ordered
Answers were Kennedy Lynch
Rodgerfield Quaker & Dennant -
absent Mr Abbott Surrey Mr B
Sheldon Nunes & Mr President -
Mr Leopold (Elwood) that the Senate
proceed to elect a temporary
~~Chairman~~ President

Which was agreed to
Nominations were made
Mr Kennedy nominated Mr Jacker
Mr Jacker nominated Mr Killin
Three voting for Mr Jacker were
Messrs Kennedy Lynch &
Three voting for Mr Killin were
Messrs Rodgers Leopold
Jacker and Dennant -
Mr Jacker moved that the election
of Mr Killin be declared unanimous
Which was agreed to -

Mr Kossuth introduced the
following Concurrent Resolution
which was adopted by the Senate the
House of Representatives Concurring
that from and after January 22nd
1872 at 2 1/2 o'clock P.M. the Legislature
shall adjourned sine die
On motion the rules were suspended and
the resolution was read the third time
and adopted
Yeas & Nays in the affirmative
being - Messrs Kennedy Tynes
Lord & Scofield Jacks & Dennant
& the President
None voting in the negative.

On motion of Mr Dennant the
Senate at 10 & 6 o'clock P.M. adjourned
adjourned until Monday morning
10 o'clock

Friday Jan 19th 1872.

Prayer by the Chaplain.

Roll-Call-

Present. Messrs Abbott. Copley. Hilton, Metz. Yonick. Yarek. Lesfield. Sheldon. Tucker. Tennant. Thomas, and his President.

Absent Mr Kennedy.

Journal read and approved.

A message from the House by Mr Webster, Assistant Clerk.

Mr President.

I am directed to inform your Honorable body that the House has passed H. R. 865 an act declaring certain days legal Holidays. also

H. R 863 an act authorizing the refunding of certain moneys to Polk Co.

also.

H. R 864 an act defining the boundaries between Merrick and Polk Co.

also —

H R 803 a Bill for an act

levying a special tax for the purpose of completing the State Penitentiary.

Also

S F a bill for an act to regulate the Jurisdiction of the Probate Court

Also

S F 70 Memorial and Joint Resolution Asking Congress with amendments

Also

S F 208 An act to amend Sec 493 Chapter 1 of title 14 of the Code of Civil Procedure

Also

H R 340 A bill for an act to amend Section 661 of title 11 of the Code of Civil Procedure of the revised Statutes of the State of Nebraska

Also

H R 358 entitled an act to permit the sale of the Saline lands

Also

H R 361 A bill for an act to amend an act entitled Mechanics Liens

Also

H R 362 A bill for an act for the relief of Salem County
also
H R 328 A bill for an act to provide for an Agricultural farm
also
H R 343 A Memorial and Joint Resolution relative to a Mail route
also
H R 365 A bill for an act declaring Section lines to be public roads in Fannin County
also
H R 866 A bill for an act declaring Section lines public roads in Dawson County

The Action of your honorable body is respectfully requested

L E Coffey
Chief Clerk

Mr Hilton from the Committee on engrossed and enrolled bills submitted the following report

Mr President

The Committee on

Engrossed and Enrolled bills
report the following House
bills correctly enrolled and
ask the Signature of the President
to the same

An Act to provide for waiving
the benefits of the laws relating
to executions and Stay of
Executions in Certain Cases

Also

An Act to define the boundaries
of Red Willow County and
provide for its organization

B. S. Hilton Chm

When the President signed the
same

Also

Mr Hilton from the same committee
submitted the following report

Mr President

The joint committee
on Engrossed and Enrolled
bills report that they did this day
at the hour of half past Eleven
oclock and present to the Acting
Governor for his approval the
following bills

A Memorial without title

Also

An act to provide for
recording the titles to Artificial
Islands

Also

An Act to provide for the
Payment of Postage Express
Charges and Freight of the
Secretary of State for the year 1871
and 1872

Read 1st time

Mr Lynch from the Select
Committee submitted the
following report

Mr President

The Committee
appointed by this Senate and
House of Representatives
have conferred together and
agreed to adjourn sine die
January 24 1872 at 11 o'clock
PM

S B Galey
J W Keogan
Com on the part of the House
Thomas Lynch
G F Scofield
Com on the part of the Senate

Mr Scofield moved the rules be suspended and the report be adopted

The Ayes and Nays being demanded

Those voting in the affirmative were Messrs Hilton Leach Lash Scofield Tucker and Tennant-6

Those voting in the negative were Messrs Abbott Copley Metz Sheldon Thomas and McDermott-6

A majority not having voted in the affirmative the rules were not suspended

Bills of the following titles were read the first time

S 5 A bill to provide for a right of way in and for the Capitol Building and for the payment of the same

also

H R 335 Memorial and Joint Resolution relative to a Mail route

also

H B 218 A bill for an act declaring Section lines public Roads and Highways in Johnson County

7

Pursuant Salina County

also

HF 357 A Bill for an act to repeal to repeal an act to encourage the growth of timber and fruit trees

also

HF 359 A Bill for an act to amend Section One hundred and One of Title Nineteen entitled Juries of the Code of Civil Procedure of the Revised Statutes of the State of Nebraska

also

HF 363 Municipal and County Restriction relative to Swamp lands

also

HF 388 A Bill for an act to amend Section 184 of Chapter 2 of the Code of Civil Procedure

also

HF 384 A bill for an act for the Collection of Certain Military Claims of the State of Nebraska against the United States and for the disposition of the funds derived therefrom when Collected

8

Also

H R 302 A bill for an act in relation to Guardians and Wards

Also

H R 324 A bill for an act to amend section Fourteen entitled County ~~Courts~~ Clerks of Chapter 19 of the revised Statutes of Nebraska

Also

H R 362 A bill for an act for the relief of Saline County

Also

H R 365 A bill for an act declaring Section lines public Roads in Frontier County

Also

H R 332 A bill for an act entitled an act to prevent the sale of Saline Lands of Nebraska and the unsold Lots and Blocks in the City of Lincoln

Also

H R 367 A bill for an act declaring certain days legal holidays

Also

6

H R 340 A bill for an act to amend Section 9956 of title of title four of the Code of Civil procedure of the revised Statutes of the State of Nebraska Adv

H R 366 A bill for an act declaring certain lines public roads in Dawson County Adv

H R 368 A bill for an act to provide for levying a special tax for the purpose of completing the State Penitentiary Buildings Adv

H R 371 A bill for an act to provide for an Agricultural College farm Adv

H R 348 Memorial and Joint Resolution relative to a mail route from Ft Kearney via Arapahoe to Red Willow Adv

H R 361 A bill for an act to amend an act Entitled Mechanics Liens Adv

H R 381 A bill for an act to

Journal of Immigration
& the State of Nebraska

Also

H R 863 A bill for an act
to authorize the Auditor to draw
his warrant on the State Treasurer
for $161.25/100 in favor of the Treasurer
of Polk County

Also

H R 364 A bill to define the
boundary line between Merrick
County and the Counties of Polk
and Hamilton

Mr Keating moved to suspend
the rules for the second reading
of H R 831 A bill for an act
to promote Immigration to the
State of Nebraska

The yeas and Nays having been
ordered - Then voting in the affirmative
were Messrs. Abbott Cropsey
Mutz Sheldon Inmas and McPherson
6

Then voting in the negative
were Messrs Helm Lynch Lamb
Scofield Tucker and Truman - 6
a majority not having voted
in the affirmative the motion was
not agreed to

Mr Lowry moved to take a recess, until [redacted] o'clock this Evening

which was not agreed to

Mr Asbury moved the Senate resolve itself into a Committee of the whole to consider bills on their second reading

which was not agreed to,

Bills of the following titles were read, and referred

SF 212 A bill for an act to authorize Isaac Beaston and Wm Jackson to construct a Mill Dam across Blue river

To the Committee on Highways Bridges and Ferries

SF 211 A bill for an act to provide Special Judges and prevent delays in the administration of Justice

To the Committee on the Judiciary

HR 307 A Bill for an act to aid in the development of the Saline interests of the State of Nebraska

Mr Tucker moved the bill be referred to the committee on Engrossed and Enrolled bills

The Yeas and Nays being demanded Those voting in the affirmative were Messrs Hilton Lynch Lauck Schuld Tucker and Tennant ——— 6

Those voting in the negative were Messrs Abbott Colpetzer Metz Sheldon Thomas and President ——— 6

A majority not having voted in the affirmative

The motion was not agreed to

Mr Tucker moved to refer the bill to the Committee on Finance Ways and Means which was agreed to

Mr Lindsey moved to suspend the rules & read a third time S F 381 a bill for an act to promote immigration to the State of Nebraska

which was not agreed to

Mr Hilton moved to adjourn until 9 o'clock tomorrow morning

The Yeas and Nays being demanded

Those voting in the affirmation were Messrs Hilton Lucas Lasch Schofield Tucker and Tennant 6

Those voting in the negative were messrs Abbott Crofts Sheldon Thomas and the President ——— 6

A Majority not having voted in the affirmative the motion was not agreed to

Mr Lasch moved that HB 381 a bill for an act to promote Immigration to the State of Nebraska be made a special order for this evening at 8 oclock

Mr Schofield moved to amend by striking out the words "8 oclock this Evening" and inserting "11 oclock Tomorrow Morning"

The yeas and nays being demanded Those voting in the affirmative were messrs Hilton Lucas Lasch Schofield Tucker and Tennant — 6

Those voting in the negative were messrs Abbott Crofts Sheldon Thomas and the President ——— 6

A Majority not having voted in the affirmative the motion to amend was not agreed to

The question recurring on the original Motion

The yeas and nays being demanded Those voting in the affirmative were Messrs Abbott Cropsey Mutz Sheldon Thomas and the President — 6

Those voting in the negative were Messrs Hilton Linck Lash Scofield Tucker and Tennant — 6

A Majority not having voted in the affirmative. the Motion was not agreed to

Mr Abbott moved to adjourn until 10 o'clock tomorrow morning

Which was not agreed to

The reading of bills on their second reading being dispensed

H R 358 A bill for an act declaring Section lines to be public Roads in the County of Red Willow

was referred to the committee on Highways Bridges and Ferries

H R 205 A Bill for an act to authorize the City of Bellevue to issue Bonds and for other purposes

To the Committee on Finance Ways and Means.

S F 213 A Bill for an act to encourage the construction of a Bridge across the Platte river at or near the old town site of Oakford in Saline County

To the Committee on Highways Bridges and Ferries

H R 213 A bill for an act to provide for the sale of certain school lands in Fillmore County

To the Committee on State Lands

H R 221 A bill for an act to amend an act entitled an act to provide for the funding of the warrants of Otoe County and to issue bonds for other purposes

To the Committee on the Judiciary

H R 317 A bill for an act to enable the County Commissioners

of Hamilton County & transfer
five thousand Dollars from
the road fund to the building
fund

To the committee on the
Judiciary

Mr Sheldon moved the Senate
resolve itself into a committee
of the whole to take into consid=
=eration the Barnes County bill

Which was not agreed to

Mr Tucker moved to adjourn
until 10 o'clock tomorrow morning

The yeas and nays being ~~demanded~~
demanded there voting in
the affirmative were Messrs
Hilton Lynch Lamb Schofield
Tucker and Emmert — 6,
Those voting in the negative
were Messrs Abbott Cooper
Duffy Sheldon Symmes and
Mr President — 6

A Majority not having voted
in the affirmative the motion
was not agreed to

Mr Lemley moved the Senate
resolve itself into a committee
of the whole to take into consid=
=eration

H R 281 A bill for an act to promote Immigration to the State of Nebraska

The Yeas and Nays being demanded Thereupon in the affirmative were Messrs Abbott Cropsey Mutz Sheldon Thomas and the President — 6

Thos voting in the negative were Messrs Hilton Linck Lauck Seefeld Dickey and Tennant — 6

A Majority not having voted in the affirmative the motion was not agreed to

Mr Dickey moved the Senate adjourn until 9 15 o'clock tomorrow morning

The Yeas and Nays being demanded, those voting in the affirmative were Messrs Hilton Linck Lauck Seefeld Dickey and Tennant — 6

Those voting in the negative were Messrs Abbott Cropsey Mutz Sheldon Thomas and the President — 6

A Majority not voting in the

Affirmation the motion was
not agreed to
Mr Scofield moved a call
of the House which was agreed to
Present Messrs Abbott Cooley,
Hilton Mutz Linch Lamb Scofield
Sheldon Tucker Tennant Thomas
and the President
Mr Sheldon moved all furthe
proceedings under the Call
be dispensed with
Which was not agreed to
At 6 40 o'clock adv Jan 20th
Mr Thomas moved to take a
recess until 8 o'clock
The President declared the
Motion was agreed to
And the Senate took a recess
until 8 o'clock Eve

After Recess
Mr Sheldon moved the Senate
Adjourn until the 31st day of Decem
= ber next
Mr Scofield called the gentleman
to order
That a motion to adjourn was
not in order during the pendancy

of a call of the House
The President declared the
motion was in order
Mr Scofield appealed from the
decision of the Chair
"The question being shall the decision
of the Chair stand as the sense
of the House"
The yeas and nays being demanded
those voting in the affirmative were
Messrs Abbott Cropsey Metz Sheldon
Thomas and Mr President - 6
Those voting in the negative were
Messrs Hilton Lynch Lusk
Scofield Tucker and Tennant - 6
The President declared the
decision of the Chair was the sense
of the House
The question recurring on the
motion of Mr Sheldon
The President declared the
motion carried and the Senate
adjourned until December 31st
1872 and Messrs Abbott Cropsey
Metz Sheldon Thomas and the President
left the Senate Chamber
The following gentlemen to wit
Messrs Hilton Lynch Lusk Scofield

Tucker and Dumant severally declared they voted against the motion to adjourn and that the decision of the President was not correct as a majority had not voted thereon

Mr Scofield declared that he "demanded a division which was not granted"

Mr Dumant declared he "called for the Yeas and Nays"

Thereupon Mr Tucker moved the Secretary act as Temporary Chairman of the Senate

Mr Tucker moved the Secretary communicate the proceedings of the Senate to the Governor which was agreed to

The Governor appeared and said the Senate was the judges of its own proceedings as a body

On Motion

it was ordered the Sergeant at Arms be dispached for absentees

Mr Reynolds appearing at the bar of the Senate

On Motion of Mr Tucker all further proceedings under the Call was dispensed with

A Call of the Roll being ordered
Present Messrs Hilton Kennedy
Linch Lasch Schfield Tucker Dumont
Absent Messrs Abbott Crosby
Mutz Sheldon Thomas and Mr President
Mr Schfield Moved the Senate
proceed to elect a temporary
President
Which was agreed to
Nominations being in order
Mr Kennedy nominated Mr Tucker
Mr Tucker nominated Mr Hilton
Those voting for Mr Tucker
were Messrs Hilton Kennedy and
Linch ——— ——— 3
Those voting for Mr Hilton
were Messrs Lasch Schfield Tucker
and Dumont ——— 4
Mr ~~Hilton~~ Tucker moved the
Election of Mr Hilton as President
of the Senate be declared unanimous
which was agreed to
Mr Lasch introduced the
following Concurrent Resolution
Resolved by the Senate the House
of Representatives Concurring
that from and after Jany 22nd
1892 at 2½ o'clock P M

This Legislature Stands
adjourned ~~sine~~ sine die
On motion the rules were suspended
the resolution was read a second
time and adopted
Those voting in the affirmative
were Messrs Kennedy Lynch Lamb
Schild Tucker Durant and the
President ——— 7
No one voting in the negative
On motion of Mr Durant at
10 45 o'clock PM the Senate
adjourned until Monday morning
at 10 o'clock

Monday January 22 1872

Prayer by the Chaplain

Roll call

Present Messrs Kennedy Lynch
Nason Caufield Tucker Tinnant
and Pratt 7 to 6

Absent Messrs Abbott Cropsey
Hascall Mace Sheldon & Thomas
~~Absent Messrs~~ 3

Journal read and approved.

Mr Tucker moved the adoption of the
Majority Report of Conference Committee
relative to adjournment on Wednesday
Jan 24 at 1 o'clock P.M.

which was agreed to and
the Report was adopted —

Mr Caufield introduced Concurrent
Resolution relative to declaring a
vacancy in the office of Governor of
the State of Nebraska and to filling
such vacancy by Joint Ballot of the
Legislature of said State —

which was read the first time
on motion the rule was suspended and the
Resolution was read the 2d time and referred
to Committee of the Whole

Senate ~~adjourned~~ took a recess until 2 o'clock P.M —

Clerk's

Order

Motion of Attorney
Mekulak to Book a Recess
until 10 o'clock A.M.

Jan 2d 1872

Prayer by the Chaplain.

Roll-Call-

Present Messrs Kennedy, Finch, Caulk, Schofield, Tucker, Lemmon, and President pro tem. Mr Holton.

Absent. Messrs Abbott, Gregg, Metcalf, Metz, Sheldon & Thomas.

Journal read & approved.

Mr Tucker moved the adoption of the majority report of Conference Committee relative to adjournment on Wednesday Jan 24 at 11 o'clock P.M.

which was agreed to, and the report was adopted.

Mr Schofield introduced Concurrent Resolution relative to declaring a Vacancy in the Office of Governor of the State of Delaware and to filling of such vacancy by joint ballot of the Legislature of said State, which was read the first time.

On motion the rules were

suspended. The bill has had a second time, and on motion it has adopted. On motion I was taken at 11 o'clock the Senate took a recess until 2 o'clock, P. M. —

After Recess
at 2 o'clock P. M. the
President Pro Tem called
the Senate to order.
On motion of Mr Lemmack
the Senate took a recess
until 11 o'clock, A. M. —

Tuesday Jany 23rd 1872

On motion the Call of the roll was dispensed with

Journal read and approved

On motion of Mr Decker at 10 ¼ 5 oclock am the Senate took a recess until 12 30 oclock PM

After Recess

On motion the call of the roll was dispensed with

On motion of Mr Scofield the Assistant Sergeant at arms was requested to procure a gavel for the use of the President pro tem

On motion of Mr Scofield at 1 10 oclock the Senate took a recess until 3 oclock PM

After Recess

on motion the Call of the roll was dispensed with

on motion of Mr Lamb the Senate at 3 30 oclock adjourned until 10 oclock tomorrow morning

1

Wednesday Jan 24th 87

The Senate met pursuant to adjournment and by reason of the sickness of the Pres pro tem was called to order by the Asst Secretary.

On motion of Mr Leach Mr Linch was elected Pres pro tem.

On motion the Roll Call was dispensed with

Journal read and approved.

On motion roll call dispensed with

On motion of Mr Jacks at 10 36 Oclock the Senate took a Recess until 1 oclock P.M.

After Recess

~~The Senate met pursuant to adjournment and Called to order by Pres pro tem~~

On motion the Call of the Roll was dispensed with

On motion of Mr Leapheld at 2 30 Oclock P.M. the Senate took a Recess until 7 Oclock this Evening

After Recess

On motion the Call of the roll was dispensed with

On motion of Mr Tennant the Senate took a recess until 10 o'clock PM

After Recess

On Motion the Roll Call was dispensed with.

A Committee from the House Consisting of Messrs Daily and Leovell appeared and informed the Senate that the House had Completed its deliberations and was ready to adjourn Sine die

On motion of Mr. Scofield a select Committee of three was appointed to await upon the House and inform that body that the Senate would be ready Sine die at 11 o'clock PM and Messrs Scofield Tennant and Lamb were appointed such Committee Subsequently Mr Scofield reported the Committee had discharged the said duty

2

Mr Crosh offered the following Resolution

Resolved. That the Thanks of this Senate are due to the Secretary & assistant assembly of this body - for the faithful manner in which they have performed their respective duties - during the present Session.

Read and Which was adopted -

Mr Tucker offered the following

Resolved: That - by the
absence - of all conclusion - of our
Legislature - Comes (L. M. Clerk)
He has thereby disqualified
himself from holding - any
office of honor - or trust
in the Legislature of Nebraska

which was read and motion
was adopted

Mr Tucker offered the following

Resolved That - the Rules
of this Senate - as shall
be and they hereby become
our - Efficient - and faithful
assistant - in the performance
of Clerk - duties - for the present -
and - to - the - end - of the session
the - Rules - adopted - by the last
Legislature - as far as the same
are applicable - to the present
organization - of the Senate
of the Secretary of L. M. Clerk
as - clerk - elected Assistant -
as - so

which was read and
on motion was

Adopted

Mr Tucker offered the following

Yours Truly
Senator Lusk

Whereas Isaac S. Hascall the President of the Senate of this State has on several occasions during this session of the Legislature disregarded the rules adopted by the Senate and the rights and privileges of the members thereof and has violated many of the standing rules and parliamentary laws recognized by all Legislative bodies, and has usurped the authority vested in him as such President by adjourning the Senate against a Majority of the votes of the Senators thereby rendering himself obnoxious to a majority of the members and unfit to preside over this body or any other Legislative

Therefore Resolved, that for the purpose of proceeding harmoniously with the business of the Senate we ask the Hon. Isaac S. Hascall to resign his position as President that we may elect some person from the members of the Senate less tyranical and more competent and [illegible] that he be removed from for his treachery and [illegible] threatening the duties imposed upon him as President of the Senate as [illegible] by President Lincoln

adopted

Mr Tucker moved that the
Resolutions relative to the
~~Secession~~ President Pascall,
the Secretary & Sergeant at Arms
be spread on the Journal and
printed with it.

~~Adopted~~

Which was agreed to

Journal read and app

The President announced that the hour of 11 o'clock A.M. having arrived I now proceeded to the consurrent Resolution of the two Houses of the Legislature of Wisconsin, & declared the said Resolution duly adjourned sine die

Attest

Thomas Lenox
Secretary of State